

§9.1

AUTHORITY: Sec. 8, 41 Stat. 1068, sec. 309, 49 Stat. 858; 16 U.S.C. 801, 825h; Pub. L. 96-511, 94 Stat. 2812 (44 U.S.C. 3501 *et seq.*)

CROSS REFERENCE: For application for approval of transfer of license, see §131.20 of this chapter.

APPLICATION FOR TRANSFER OF LICENSE

§9.1 Filing.

Any licensee desiring to transfer a license or rights thereunder granted, and the person, association, corporation, State, or municipality desiring to acquire the same, shall jointly or severally file an application for approval of such transfer and acquisition. Such application shall be verified, shall conform to §131.20 of this chapter, and shall be filed in accordance with §4.32 of this chapter.

[Order 501, 39 FR 2267, Jan. 18, 1974, as amended by Order 2002, 68 FR 51139, Aug. 25, 2003]

§9.2 Contents of application.

Every application for approval of such transfer and acquisition by the proposed transferee shall set forth in appropriate detail the qualifications of the transferee to hold such license and to operate the property under license, which qualifications shall be the same as those required of applicants for license.

[Order 141, 12 FR 8491, Dec. 19, 1947]

CROSS REFERENCES: For administrative rules relating to applicants for license, see part 385 of this chapter. For regulations as to licenses and permits, see part 4 of this chapter.

§9.3 Transfer.

(a) Approval by the Commission of transfer of a license is contingent upon the transfer of title to the properties under license, delivery of all license instruments, and a showing that such transfer is in the public interest. The transferee shall be subject to all the conditions of the license and to all the provisions and conditions of the act, as though such transferee were the original licensee and shall be responsible for the payment of annual charges which accrue prior to the date of transfer.

(b) When the Commission shall have approved the transfer of the license, its order of approval shall be forwarded to

18 CFR Ch. I (4–1–13 Edition)

the transferee for acknowledgment of acceptance. Unless application for rehearing is filed, or unless the order is stayed by the Commission, the order shall become final thirty (30) days from date of issuance and the acknowledgment of acceptance shall be filed in triplicate with the Commission within sixty (60) days from date of issuance accompanied by a certified copy of the deed of conveyance or other instrument evidencing transfer of the property under license, together with evidence of the recording thereof.

[Order 175, 19 FR 5217, Aug. 18, 1954]

APPLICATION FOR LEASE OF PROJECT PROPERTY

§9.10 Filing.

Any licensee desiring to lease the project property covered by a license or any part thereof, where the lessee is granted the exclusive occupancy, possession, or use of project works for purposes of generating, transmitting, or distributing power, and the person, association, or corporation, State, or municipality desiring to acquire the project property by lease, must file the proposed lease together with the application in accordance with §4.32(b)(1) of this chapter. The application and the Commission's action on it will, in general, be subject to the provisions of §§9.1 through 9.3.

[Order 737, 75 FR 43403, July 26, 2010]

PART 11—ANNUAL CHARGES UNDER PART I OF THE FEDERAL POWER ACT

Subpart A—Charges for Costs of Administration, Use of Tribal Lands and Other Government Lands, and Use of Government Dams

Sec.

- 11.1 Costs of administration.
- 11.2 Use of government lands.
- 11.3 Use of government dams, excluding pumped storage projects.
- 11.4 Use of government dams for pumped storage projects, and use of tribal lands.
- 11.5 Exemption of minor projects.
- 11.6 Exemption of State and municipal licensees and exemptees.
- 11.7 Effective date.
- 11.8 Adjustment of annual charges.

Federal Energy Regulatory Commission

§ 11.1

Subpart B—Charges for Headwater Benefits

- 11.10 General provision; waiver and exemption; definitions.
- 11.11 Energy gains method of determining headwater benefits charges.
- 11.12 Determination of section 10(f) costs.
- 11.13 Energy gains calculations.
- 11.14 Procedures for establishing charges without an energy gains investigation.
- 11.15 Procedures for determining charges by energy gains investigation.
- 11.16 Filing requirements.
- 11.17 Procedures for payment of charges and costs.

Subpart C—General Procedures

- 11.20 Time for payment.
- 11.21 Penalties.

APPENDIX A TO PART 11—FEE SCHEDULE FOR FY 2013

AUTHORITY: 16 U.S.C. 792–828c; 42 U.S.C. 7101–7352.

Subpart A—Charges for Costs of Administration, Use of Tribal Lands and Other Government Lands, and Use of Government Dams

§ 11.1 Costs of administration.

(a) *Authority.* Pursuant to section 10(e) of the Federal Power Act and section 3401 of the Omnibus Budget Reconciliation Act of 1986, the Commission will assess reasonable annual charges against licensees and exemptees to reimburse the United States for the costs of administration of the Commission's hydropower regulatory program.

(b) *Scope.* The annual charges under this section will be charged to and allocated among:

(1) All licensees of projects of more than 1.5 megawatts of installed capacity; and

(2) All holders of exemptions under either section 30 of the Federal Power Act or sections 405 and 408 of the Public Utility Regulatory Policies Act of 1978, as amended by section 408 of the Energy Security Act of 1980, but only if the exemption was issued subsequent to April 21, 1995 and is for a project of more than 1.5 megawatts of installed capacity.

(3) If the exemption for a project of more than 1.5 megawatts of installed capacity was issued subsequent to

April 21, 1995 but pursuant to an application filed prior to that date, the exemptee may credit against its annual charge any filing fee paid pursuant to § 381.601 of this chapter, which was removed effective April 21, 1995, 18 CFR 381.601 (1994), until the total of all such credits equals the filing fee that was paid.

(c) *Licenses and exemptions other than State or municipal.* For licensees and exemptees, other than State or municipal:

(1) A determination shall be made for each fiscal year of the costs of administration of Part I of the Federal Power Act chargeable to such licensees or exemptees, from which shall be deducted any administrative costs that are stated in the license or exemption or fixed by the Commission in determining headwater benefit payments.

(2) For each fiscal year the costs of administration determined under paragraph (c)(1) of this section will be assessed against such licenses or exemptee in the proportion that the annual charge factor for each such project bears to the total of the annual charge factors under all such outstanding licenses and exemptions.

(3) The annual charge factor for each such project shall be found as follows:

(i) For a conventional project the factor is its authorized installed capacity plus 112.5 times its annual energy output in millions of kilowatt-hours.

(ii) For a pure pumped storage project the factor is its authorized installed capacity.

(iii) For a mixed conventional-pumped storage project the factor is its authorized installed capacity plus 112.5 times its gross annual energy output in millions of kilowatt-hours less 75 times the annual energy used for pumped storage pumping in million of kilowatt-hours.

(iv) For purposes of determining their annual charges factor, projects that are operated pursuant to an exemption will be deemed to have an annual energy output of zero.

(4) To enable the Commission to determine such charges annually, each licensee whose authorized installed capacity exceeds 1.5 megawatts must file with the Commission, on or before November 1 of each year, a statement

under oath showing the gross amount of power generated (or produced by nonelectrical equipment) and the amount of power used for pumped storage pumping by the project during the preceding fiscal year, expressed in kilowatt hours. If any licensee does not report the gross energy output of its project within the time specified above, the Commission's staff will estimate the energy output and this estimate may be used in lieu of the filings required by this section made by such licensee after November 1.

(5) For unconstructed projects, the assessments start on the date of commencement of project construction. For constructed projects, the assessments start on the effective date of the license or exemption, except for any new capacity authorized therein. The assessments for new authorized capacity start on the date of commencement of construction of such new capacity. In the event that construction commences during a fiscal year, the charges will be prorated based on the date on which construction commenced.

(d) *State and municipal licensees and exemptees.* For State or municipal licensees and exemptees:

(1) A determination shall be made for each fiscal year of the cost of administration under Part I of the Federal Power Act chargeable to such licensees and exemptees, from which shall be deducted any administrative costs that are stated in the license or exemption or that are fixed by the Commission in determining headwater benefit payments.

(2) An exemption will be granted to a licensee or exemptee to the extent, if any, to which it may be entitled under section 10(e) of the Act provided the data is submitted as requested in paragraphs (d) (4) and (5) of this section.

(3) For each fiscal year the total actual cost of administration as determined under paragraph (d)(1) of this section will be assessed against each such licensee or exemptee (except to the extent of the exemptions granted pursuant to paragraph (d)(2) of this section) in the proportion that the authorized installed capacity of each such project bears to the total such capacity

under all such outstanding licenses or exemptions.

(4) To enable the Commission to compute on the bill for annual charges the exemption to which State and municipal licensees and exemptees are entitled because of the use of power by the licensee or exemptee for State or municipal purposes, each such licensee or exemptee must file with the Commission, on or before November 1 of each year, a statement under oath showing the following information with respect to the power generated by the project and the disposition thereof during the preceding fiscal year, expressed in kilowatt-hours:

(i) Gross amount of power generated by the project.

(ii) Amount of power used for station purposes and lost in transmission, etc.

(iii) Net amount of power available for sale or use by licensee or exemptee, classified as follows:

(A) Used by licensee or exemptee.

(B) Sold by licensee or exemptee.

(5) When the power from a licensed or exempted project owned by a State or municipality enters into its electric system, making it impracticable to meet the requirements of this section with respect to the disposition of project power, such licensee or exemptee may, in lieu thereof, furnish similar information with respect to the disposition of the available power of the entire electric system of the licensee or exemptee.

(6) The assessments commence on the date of commencement of project operation. In the event that project operation commences during a fiscal year, the charges will be prorated based on the date on which operation commenced.

(e) *Transmission lines.* For projects involving transmission lines only, the administrative charge will be stated in the license.

(f) *Maximum charge.* No licensed or exempted project's annual charge may exceed a maximum charge established each year by the Commission to equal 2.0 percent of the adjusted Commission costs of administration of the hydro-power regulatory program. For every project with an annual charge determined to be above the maximum charge, that project's annual charge

will be set at the maximum charge, and any amount above the maximum charge will be reapportioned to the remaining projects. The reapportionment will be computed using the method outlined in paragraphs (c) and (d) of this section (but excluding any project whose annual charge is already set at the maximum amount). This procedure will be repeated until no project's annual charge exceeds the maximum charge.

(g) *Commission's costs.* (1) With respect to costs incurred by the Commission, the assessment of annual charges will be based on an estimate of the costs of administration of Part I of the Federal Power Act that will be incurred during the fiscal year in which the annual charges are assessed. After the end of the fiscal year, the assessment will be recalculated based on the costs of administration that were actually incurred during that fiscal year; the actual costs will be compared to the estimated costs; and the difference between the actual and estimated costs will be carried over as an adjustment to the assessment for the subsequent fiscal year.

(2) The issuance of bills based on the administrative costs incurred by the Commission during the year in which the bill is issued will commence in 1993. The annual charge for the administrative costs that were incurred in fiscal year 1992 will be billed in 1994. At the licensee's option, the charge may be paid in three equal annual installments in fiscal years 1994, 1995, and 1996, plus any accrued interest. If the licensee elects the three-year installment plan, the Commission will accrue interest (at the most recent yield of two-year Treasury securities) on the unpaid charges and add the accrued interest to the installments billed in fiscal years 1995 and 1996.

(h) In making their annual reports to the Commission on their costs in administering Part I of the Federal Power Act, the United States Fish and Wildlife Service and the National Marine Fisheries Service are to deduct any amounts that were deposited into their Treasury accounts during that year as reimbursements for conducting studies and reviews pursuant to section 30(e) of the Federal Power Act.

(i) *Definition.* As used in paragraphs (c) and (d) of this section, *authorized installed capacity* means the lesser of the ratings of the generator or turbine units. The rating of a generator is the product of the continuous-load capacity rating of the generator in kilovolt-amperes (kVA) and the system power factor in kW/kVA. If the licensee or exemptee does not know its power factor, a factor of 1.0 kW/kVA will be used. The rating of a turbine is the product of the turbine's capacity in horsepower (hp) at best gate (maximum efficiency point) opening under the manufacturer's rated head times a conversion factor of 0.75 kW/hp. If the generator or turbine installed has a rating different from that authorized in the license or exemption, or the installed generator is rewound or otherwise modified to change its rating, or the turbine is modified to change its rating, the licensee or exemptee must apply to the Commission to amend its authorized installed capacity to reflect the change.

(j) *Transition.* For a license having the capacity of the project for annual charge purposes stated in horsepower, that capacity shall be deemed to be the capacity stated in kilowatts elsewhere in the license, including any amendments thereto.

[60 FR 15047, Mar. 22, 1995, as amended by Order 584, 60 FR 57925, Nov. 24, 1995]

§ 11.2 Use of government lands.

(a) Reasonable annual charges for recompensing the United States for the use, occupancy, and enjoyment of its lands (other than lands adjoining or pertaining to Government dams or other structures owned by the United States Government) or its other property, will be fixed by the Commission.

(b) *General rule.* Annual charges for the use of government lands will be payable in advance, and will be set on the basis of an annual schedule of per-acre rental fees, as set forth in Appendix A of this part. The Executive Director will publish the updated fee schedule in the FEDERAL REGISTER.

(c) The annual per-acre rental fee is the product of four factors: the adjusted per-acre value multiplied by the encumbrance factor multiplied by the

§ 11.3

18 CFR Ch. I (4–1–13 Edition)

rate of return multiplied by the annual adjustment factor.

(1) *Adjusted per-acre value.* (i) Counties (or other geographical areas) are assigned a per-acre value based on their average per-acre land and building value published in the Census of Agriculture (Census) by the National Agricultural Statistics Service (NASS). The adjusted per-acre value is computed by reducing the NASS Census land and building value by the sum of a state-specific modifier and seven percent. A table of state-specific adjustments will be available on the Commission's Web site.

(ii) The state-specific modifier is a percentage reduction applicable to all counties or geographic areas in a state (except Puerto Rico), and represents the ratio of the total value of irrigated farmland in the state to the total value of all farmland in the state. The state-specific modifier will be recalculated every five years beginning in payment year 2016.

(iii) The state-specific modifier for Puerto Rico is 13 percent.

(2) *Encumbrance factor.* The encumbrance factor is 50 percent.

(3) *Rate of return.* The rate of return is 5.77 percent through payment year 2025. The rate of return will be adjusted every 10 years thereafter, and will be based on the 10-year average of the 30-year Treasury bond yield rate immediately preceding the applicable NASS Census. For example, for years 2026 through 2035, the rate of return will be based on the 10-year average (2012–2021) of the 30-year Treasury bond yield rate immediately preceding the 2022 NASS Census. If the 30-year Treasury bond yield rate is not available, the next longest term Treasury bond available should be used in its place.

(4) *Annual adjustment factor.* The annual adjustment factor is 1.9 percent through payment year 2015. For years 2016 through 2025, the annual adjustment factor is the annual change in the Implicit Price Deflator for the Gross Domestic Product (IPD–GDP) for the ten years (2014–2023) preceding issuance (2024) of the most recent NASS Census (2022). Each subsequent ten year adjustment will be made in the same manner.

(d) The annual charge for the use of Government lands for 2013 will be reduced by 25 percent for all licensees subject to this section.

(e) The minimum annual charge for the use of Government lands under any license will be \$25.

[Order 774, 78 FR 5265, Jan. 25, 2013]

§ 11.3 Use of government dams, excluding pumped storage projects.

(a) *General rule.* (1) Any licensee whose non-Federal project uses a Government dam or other structure for electric power generation and whose annual charges are not already specified in final form in the license must pay the United States an annual charge for the use of that dam or other structure as determined in accordance with this section. Payment of such annual charge is in addition to any reimbursement paid by a licensee for costs incurred by the United States as a direct result of the licensee's project development at such Government dam.

(2) Any licensee that is obligated under the terms of a license issued on or before September 16, 1986 to pay specified annual charges for the use of a Government dam must continue to pay the annual charges prescribed in the project license pending any readjustment of the annual charge for the project made pursuant to section 10(e) of the Federal Power Act.

(b) *Graduated flat rates.* Annual charges for the use of Government dams or other structures owned by the United States are 1 mill per kilowatt-hour for the first 40 gigawatt-hours of energy a project produces, 1½ mills per kilowatt-hour for over 40 up to and including 80 gigawatt-hours, and 2 mills per kilowatt-hour for any energy the project produces over 80 gigawatt-hours.

(c) *Information reporting.* (1) Except as provided in paragraph (c)(2) of this section, each licensee must file with the Commission, on or before November 1 of each year, a sworn statement showing the gross amount of energy generated during the preceding fiscal year and the amount of energy provided free of charge to the Government. The determination of the annual charge will

be based on the gross energy production less the energy provided free of charge to the Government.

(2) A licensee who has filed these data under another section of part 11 or who has submitted identical data with FERC or the Energy Information Administration for the same fiscal year is not required to file the information described in paragraph (c)(1) of this section. Referenced filings should be identified by company name, date filed, docket or project number, and form number.

(d) *Credits*. A licensee may file a request with the Director of the Office of Energy Projects for a credit for contractual payments made for construction, operation, and maintenance of a Government dam at any time before 30 days after receiving a billing for annual charges determined under this section. The Director, or his designee, will grant such a credit only when the licensee demonstrates that a credit is reasonably justified. The Director, or his designee, shall consider, among other factors, the contractual arrangements between the licensee and the Federal agency which owns the dam and whether these arrangements reveal clearly that substantial payments are being made for power purposes, relevant legislation, and other equitable factors.

[Order 379, 49 FR 22778, June 1, 1984, as amended by Order 379-A, 49 FR 33862, Aug. 27, 1984. Redesignated at 51 FR 24318, July 3, 1986; Order No. 469, 52 FR 18209, May 14, 1987; 52 FR 33802, Sept. 8, 1987; 53 FR 44859, Nov. 7, 1988; Order 647, 69 FR 32438, June 10, 2004]

§ 11.4 Use of government dams for pumped storage projects, and use of tribal lands.

(a) *General Rule*. The Commission will determine on a case-by-case basis under section 10(e) of the Federal Power Act the annual charges for any pumped storage project using a Government dam or other structure and for any project using tribal lands within Indian reservations.

(b) *Information reporting*. (1) Except as provided in paragraph (b)(2) of this section a Licensee whose project includes pumped storage facilities must file with the Commission, on or before November 1 of each year, a sworn state-

ment showing the gross amount of energy generated during the preceding fiscal year, and the amount of energy provided free of charge to the Government, and the amount of energy used for pumped storage pumping.

(2) A licensee who has filed these data under another section of part 11 or who has submitted identical data with FERC or the Energy Information Administration for the same fiscal year is not required to file the information required in paragraph (b)(1) of this section. Referenced filings should be identified by company name, date filed, docket or project number, and form number.

(c) Commencing in 1993, the annual charges for any project using tribal land within Indian reservations will be billed during the fiscal year in which the land is used, for the use of that land during that year.

[Order 379, 49 FR 22778, June 1, 1984. Redesignated at 51 FR 24318, July 3, 1986; Order 469, 52 FR 18209, May 14, 1987; 52 FR 33802, Sept. 8, 1987; Order 551, 58 FR 15770, Mar. 24, 1993]

§ 11.5 Exemption of minor projects.

No exemption will be made from payment of annual charges for the use of Government dams or tribal lands within Indian reservations but licenses may be issued without charges other than for such use for the development, transmission, or distribution of power for domestic, mining, or other beneficial use in minor projects.

[Order 141, 12 FR 8492, Dec. 19, 1947. Redesignated by Order 379, 49 FR 22778, June 1, 1984. Redesignated at 51 FR 24318, July 3, 1986]

§ 11.6 Exemption of State and municipal licensees and exemptees.

(a) *Bases for exemption*. A State or municipal licensee or exemptee may claim total or partial exemption from the assessment of annual charges upon one or more of the following grounds:

(1) The project was primarily designed to provide or improve navigation;

(2) To the extent that power generated, transmitted, or distributed by the project was sold directly or indirectly to the public (ultimate consumer) without profit;

(3) To the extent that power generated, transmitted, or distributed by

the project was used by the licensee for State or municipal purposes.

(b) *Projects primarily for navigation.* No State or municipal licensee shall be entitled to exemption from the payment of annual charges on the ground that the project was primarily designed to provide or improve navigation unless the licensee establishes that fact from the actual conditions under which the project was constructed and was operated during the calendar year for which the charge is made.

(c) *State or municipal use.* A State or municipal licensee shall be entitled to exemption from the payment of annual charges for the project to the extent that power generated, transmitted, or distributed by the project is used by the licensee itself for State or municipal purposes, such as lighting streets, highways, parks, public buildings, etc., for operating licensee's water or sewerage system, or in performing other public functions of the licensee.

(d) *Sales to public.* No State or municipal licensee shall be entitled to exemption from the payment of annual charges on the ground that power generated, transmitted, or distributed by the project is sold to the public without profit, unless such licensee shall show:

(1) That it maintains an accounting system which segregates the operations of the licensed project and reflects with reasonable accuracy the revenues and expenses of the project;

(2) That an income statement, prepared in accordance with the Commission's Uniform System of Accounts, shows that the revenues from the sale of project power do not exceed the total amount of operating expenses, maintenance, depreciation, amortization, taxes, and interest on indebtedness, applicable to the project property. Periodic accruals or payments for redemption of the principal of bonds or other indebtedness may not be deducted in determining the net profit of the project.

(e) *Sales for resale.* Notwithstanding compliance by a State or municipal licensee with the requirements of paragraph (d) of this section, it shall be subject to the payment of annual charges to the extent that electric power generated, transmitted, or dis-

tributed by the project is sold to another State, municipality, person, or corporation for resale, unless the licensee shall show that the power was sold to the ultimate consumer without profit. The matter of whether or not a profit was made is a question of fact to be established by the licensee.

(f) *Interchange of power.* Notwithstanding compliance by a State or municipal licensee with the requirements of paragraph (d) of this section, it shall be subject to the payment of annual charges to the extent that power generated, transmitted, or distributed by the project was supplied under an interchange agreement to a State, municipality, person, or corporation for sale at a profit (which power was not offset by an equivalent amount of power received under such interchange agreement) unless the licensee shall show that the power was sold to ultimate consumers without profit.

(g) *Construction period.* During the period when the licensed project is under construction and is not generating power, it will be considered as operating without profit within the meaning of this section, and licensee will be entitled to total exemption from the payment of annual charges, except as to those charges relating to the use of a Government dam or tribal lands within Indian reservations.

(h) *Optional showing.* When the power from the licensed project enters into the electric power system of the State or municipal licensee, making it impracticable to meet the requirements set forth in this section with respect to the operations of the project only, such licensee may, in lieu thereof, furnish the same information with respect to the operations of said electric power system as a whole.

(i) *Application for exemption.* Applications for exemption from payment of annual charges shall be signed by an authorized executive officer or chief accounting officer of the licensee or exemptee and verified under oath. The application must be filed with the Secretary of the Commission in accordance with filing procedures posted on the Commission's Web site at <http://www.ferc.gov> within the time allowed (by § 11.20) for the payment of the annual charges. If the licensee or

exemptee, within the time allowed for the payment of the annual charges, files notice that it intends to file an application for exemption, an additional period of 30 days is allowed within which to complete and file the application for exemption. The filing of an application for exemption does not by itself alleviate the requirement to pay the annual charges, nor does it exonerate the licensee or exemptee from the assessment of penalties under § 11.21. If a bill for annual charges becomes payable after an application for an exemption has been filed and while the application is still pending for decision, the bill may be paid under protest and subject to refund.

[Order 143, 13 FR 6681, Nov. 13, 1948. Redesignated and amended by Order 379, 49 FR 22778, June 1, 1984. Redesignated at 51 FR 24318, July 3, 1986; 60 FR 15048, Mar. 22, 1995; Order 737, 75 FR 43403, July 26, 2010]

§ 11.7 Effective date.

All annual charges imposed under this subpart will be computed beginning on the effective date of the license unless some other date is fixed in the license.

[51 FR 24318, July 3, 1986]

§ 11.8 Adjustment of annual charges.

All annual charges imposed under this subpart continue in effect as fixed unless changed as authorized by law.

[51 FR 24318, July 3, 1986]

Subpart B—Charges for Headwater Benefits

SOURCE: Order 453, 51 FR 24318, July 3, 1986, unless otherwise noted.

§ 11.10 General provision; waiver and exemptions; definitions.

(a) *Headwater benefits charges.* (1) The Commission will assess or approve charges under this subpart for direct benefits derived from headwater projects constructed by the United States, a licensee, or a pre-1920 permittee. Charges under this subpart will amount to an equitable part of the annual costs of interest, maintenance, and depreciation expenses of such headwater projects and the costs to the Commission of determining headwater

benefits charges. Except as provided in paragraph (b) of this section, the owner of any non-Federal downstream project that receives headwater benefits must pay charges determined under this subpart.

(2) Headwater benefits are the additional electric generation at a downstream project that results from regulation of the flow of the river by the headwater, or upstream, project, usually by increasing or decreasing the release of water from a storage reservoir.

(b) *Waiver and exemptions.* The owner of a downstream project with installed generating capacity of 1.5 MW (2000 horsepower) or less or for which the Commission has granted an exemption from section 10(f) is not required to pay headwater benefits charges.

(c) *Definitions.* For purposes of this subpart:

(1) *Energy gains* means the difference between the number of kilowatt-hours of energy produced at a downstream project with the headwater project and that which would be produced without the headwater project.

(2) *Generation* means gross generation of electricity at a hydroelectric project, including generation needed for station use or the equivalent for direct drive units, measured in kilowatt-hours. It does not include energy used for or derived from pumping in a pumped storage facility.

(3) *Headwater project costs* means the total costs of an upstream project constructed by the United States, a licensee, or pre-1920 permittee.

(4) *Separable cost* means the difference between the cost of a multiple-function headwater project with and without any particular function.

(5) *Remaining benefits* means the difference between the separable cost of a specific function in a multiple-function project and the lesser of:

(i) The benefits of that function in the project, as determined by the responsible Federal agency at the time the project or function was authorized; or

(ii) The cost of the most likely alternative single-function project providing the same benefits.

(6) *Joint-use cost* means the difference between the total project cost and the total separable costs. Joint-use costs

§ 11.11

18 CFR Ch. I (4–1–13 Edition)

are allocated among the project functions according to each function's percentage of the total remaining benefits.

(7) *Specific power cost* means that portion of the headwater project costs that is directly attributable to the function of power generation at the headwater project, including, but not limited to, the cost of the electric generators, turbines, penstocks, and substation.

(8) *Joint-use power cost* means the portion of the joint-use cost allocated to the power function of the project.

(9) *Section 10(f) costs* means the annual interest, depreciation, and maintenance expense portion of the joint-use power cost, including costs of non-power functions required by statute to be paid by revenues from the power function.

(10) *Party* means:

(i) The owner of a non-Federal downstream hydroelectric project which is directly benefited by a headwater project constructed by the United States, a licensee, or a pre-1920 permittee;

(ii) The owner of a headwater project constructed by the United States, a licensee, or a pre-1920 permittee;

(iii) An operating agency of, or an agency marketing power from, a headwater project constructed by the United States; or

(iv) Any party, as defined in § 385.102(c) of this chapter.

(11) *Final charge* means a charge assessed on an annual basis to recover section 10(f) costs and which represents the final determination of the charge for the period for which headwater benefits are assessed. Final charges may be established retroactively, to finalize an interim charge, or prospectively.

(12) *Interim charge* means a charge assessed to recover section 10(f) costs for a specified period of headwater benefits pending determination of a final charge for that period.

(13) *Investment cost* means the sum of:

(i) Project construction costs, including cost of land, labor and materials, cost of pre- and post-authorization investigations, and cost of engineering, supervision, and administration during construction of the project; and

(ii) Interest during construction.

[Order 453, 51 FR 24318, July 3, 1986, as amended by Order 699, 72 FR 45324, Aug. 14, 2007]

§ 11.11 Energy gains method of determining headwater benefits charges.

(a) *Applicability.* This section applies to any determination of headwater benefits charges, unless:

(1) The Commission has approved headwater benefits charges pursuant to an existing coordination agreement among the parties;

(2) The parties reach, and the Commission approves, a settlement with respect to headwater benefits charges, pursuant to § 11.14(a) of this subpart; or

(3) Charges may be assessed under § 11.14(b).

(b) *General rule*—(1) *Summary.* Except as provided in paragraph (b)(3) of this section, a headwater benefits charge for a downstream project is determined under this subpart by apportioning the section 10(f) costs of the headwater project among the headwater project and all downstream projects that are not exempt from or waived from headwater benefits charges under § 11.10(b) of this chapter, according to each project's share of the total energy benefits to those projects resulting from the headwater project.

(2) *Calculation; headwater benefits formula.* The annual headwater benefits charge for a downstream project is derived by multiplying the section 10(f) cost by the ratio of the energy gains received by the downstream project to the sum of total energy gains received by all downstream projects (except those projects specified in § 11.10(b) of this chapter) plus the energy generated at the headwater project that is assigned to the joint-use power cost, as follows:

$$P = C_p \times \frac{E_n}{E_j + E_d}$$

In which:

P=annual payment to be made for headwater benefits received by a downstream project,

C_p=annual section 10(f) cost of the headwater project,

E_n=annual energy gains received at a downstream project, or group of projects if owned by one entity,

E_d =annual energy gains received at all downstream projects (except those specified in § 11.10(b) of this chapter), and

E_j =portion of the annual energy generated at the headwater project assigned to the joint-use power cost.

(3) If power generation is not a function of the headwater project, section 10(f) costs will be apportioned only among the downstream projects.

(4) If the headwater project is constructed after the downstream project, liability for headwater benefits charges will accrue beginning on the day on which any energy losses at the downstream project due to filling the headwater reservoir have been offset by subsequent energy gains. If the headwater project is constructed prior to the downstream project, liability for headwater benefits charges will accrue beginning on the day on which benefits are first realized by the downstream project.

(5) No final charge assessed by the Commission under this subpart may exceed 85 percent of the value of the energy gains. If a party demonstrates, within the time specified in § 11.17(b)(3) for response to a preliminary assessment, that any final charge assessed under this subpart, not including the cost of the investigation assessed under § 11.17(c), exceeds 85 percent of the value of the energy gains provided to the downstream project for the period for which the charge is assessed, the Commission will reduce the charge to not more than 85 percent of the value. For purposes of this paragraph, the *value of the energy gains* is the cost of obtaining an equivalent amount of electricity from the most likely alternative source during the period for which the charge is assessed.

§ 11.12 Determination of section 10(f) costs.

(a) *for non-Federal headwater projects.* If the headwater project was constructed by a licensee or pre-1920 permittee and a party requests the Commission to determine charges, the Commission will determine on a case-by-case basis what portion of the annual interest, maintenance, and depreciation costs of the headwater project constitutes the section 10(f) costs, for purposes of this subpart.

(b) *For Federal headwater projects.* (1) If the headwater project was constructed or is operated by the United States, and the Commission has not approved a settlement between the downstream project owner and the headwater project owner, the section 10(f) cost will be determined by deriving, from information provided by the headwater project owner pursuant to § 11.16 of this subpart, the joint-use power cost and the portion of the annual joint-use power cost that represents the interest, maintenance, and depreciation costs of the project.

(2) If power is not an authorized function of the headwater project, the section 10(f) cost is the annual interest, maintenance, and depreciation portion of the headwater project costs designated as the joint-use power cost, derived by deeming a power function at the project. The value of the benefits assigned to the deemed power function, for purposes of determining the value of remaining benefits of the joint-use power cost, is the total value of downstream energy gains included in the headwater benefits formula.

(3) For purposes of this paragraph, *total value of downstream energy gains* means the lesser of:

(i) The cost of generating an equivalent amount of electricity at the most likely alternative facility at the time the headwater project became operational; or

(ii) The incremental cost of installing electrical generation at the headwater project at the time the project became operational.

§ 11.13 Energy gains calculations.

(a) *Energy gains at a downstream project.* (1) Energy gains at a downstream project are determined by simulating operation of the downstream project with and without the effects of the headwater project. Except for determinations which are not complex or in which headwater benefits are expected to be small, calculations will be made by application of the Headwater Benefits Energy Gains Model, as presented in *The Headwater Benefits Energy Gains (HWBEG) Model Description and Users Manual*, which is available for the

§ 11.14

18 CFR Ch. I (4–1–13 Edition)

National Technical Information Service, U.S. Department of Commerce, 5285 Port Royal Road, Springfield, VA 22161.

(2) If more than one headwater project provide energy gains to a downstream project, the energy gains at the downstream project are attributed to the headwater projects according to the time sequence of commencement of operation in which each headwater project provided energy gains at the downstream project, by:

(i) Crediting the headwater project that is first in time with the amount of energy gains that it provided to the downstream project prior to operation of the headwater project that is next in time; and

(ii) Crediting any subsequent headwater project with the additional increment of energy gains provided by it to the downstream project.

(3) Annual energy losses at a downstream project, or group of projects owned by the same entity, that are attributable to the headwater project will be subtracted from energy gains for the same annual period at the downstream project or group of projects. A net loss in one calendar year will be subtracted from net gains in subsequent years until no net loss remains.

(b) *Energy generated at the headwater project.* (1) Except as provided in paragraphs (b)(2) and (b)(3) of this section, the portion of the total annual energy generation at the headwater project that is to be attributed to the joint-use power cost is derived by multiplying the total annual generation at the headwater project and the ratio of the project investment cost assigned to the joint-use power cost to the sum of the investment cost assigned to both the specific power cost and the joint-use power cost of the headwater project, as follows:

$$E_j = E \times \frac{C_j}{C_s + C_j}$$

In which:

E_j =annual energy generated at the headwater project to be attributed to the joint-use power cost,

E =total annual generation at the headwater project,

C_j =project investment costs assigned to the joint-use power cost, and

C_s =project investment costs assigned to specific power costs.

(2) If the headwater project contains a pumped storage facility, calculation of the portion of the total annual energy generation at the headwater project that is attributable to the joint-use power cost will be determined on a case-by-case basis.

(3) If no power is generated at the headwater project, the amount of energy attributable to the joint-use power cost under this section is the total of all downstream energy gains included in the headwater benefits formula.

§ 11.14 Procedures for establishing charges without an energy gains investigation.

(a) *Settlements.* (1) Owners of downstream and headwater projects subject to this subpart may negotiate a settlement for headwater benefits charges. Settlements must be filed with the Commission for its approval, according to the provisions of § 385.602.

(2) If the headwater project is a Federal project, any settlement under this section must result in headwater benefits payments that approximate those that would result under the energy gains method.

(b) *Continuation of previous headwater benefits determinations.* (1) For any downstream project being assessed headwater benefit charges on or before September 16, 1986, the Commission will continue to assess charges to that project on the same basis until changes occur in the river basin, including hydrology or project development, that affect headwater benefits.

(2) Any procedures that apply to § 11.17(b)(5) of this subpart will apply to any prospectively fixed charges that are continued under this paragraph.

§ 11.15 Procedures for determining charges by energy gains investigation.

(a) *Purpose of investigations; limitation.* Except as permitted under § 11.14, the Commission will conduct an investigation to obtain information for establishing headwater benefits charges under this subpart. The Commission will investigate and determine charges for a project downstream from a non-

Federal headwater project only if the parties are unable to agree to a settlement and one of the parties requests the Commission to determine charges.

(b) *Notification.* The Commission will notify each downstream project owner and each headwater project owner when it initiates an investigation under this section, and the period of project operations to be studied will be specified. An investigation will continue until a final charge has been established for all years studied in the investigation.

(c) *Jurisdictional objections.* If any project owner wishes to object to the assessment of a headwater benefits charge on jurisdictional grounds, such objection must:

(1) Be raised within 30 days after the notice of the investigation is issued; and

(2) State in detail the grounds for its objection.

(d) *Investigations.* (1) For any downstream project for which a final charge pursuant to an investigation has never been established, the Commission will conduct an initial investigation to determine a final charge.

(2) The Commission may, for good cause shown by a party or on its own motion, initiate a new investigation of a river basin to determine whether, because of any change in the hydrology, project development, or other characteristics of the river basin that effects headwater benefits, it should:

(i) Establish a new final charge to replace a final charge previously established under § 11.17(b)(5); or

(ii) Revise any variable of the headwater benefits formula that has become a constant in calculating a final charge.

(3) *Scope of investigations.* (i) The Commission will establish a final charge pursuant to an investigation based on information available to the Commission through the annual data submission requirements of § 11.16, if such information is adequate to establish a reasonably accurate final charge.

(ii) If the information available to the Commission is not sufficient to provide a reasonably accurate calculation of the final charge, the Commission will request additional data and conduct any studies, including studies

of the hydrology of the river basin and project operations, that it determines necessary to establish the charge.

§ 11.16 Filing requirements.

(a) *Applicability.* (1) Any party subject to a headwater benefits determination under this subpart must supply project-specific data, in accordance with this section, by February 1 of each year for data from the preceding calendar year.

(2) Within 30 days of notice of initiation of an investigation under § 11.15, a party must supply project-specific data, in accordance with this section, for the years specified in the notice.

(b) *Data required from owner of the headwater project.* The owner of any headwater project constructed by the United States, a licensee, or a pre-1920 permittee that is upstream from a non-Federal hydroelectric project must submit the following:

(1) Name and location of the headwater project, including the name of the stream on which it is located.

(2) The total nameplate rating of installed generating capacity of the project, expressed in kilowatts, with the portion of total capacity that represents pumped storage generating capacity separately designated.

(3) A description of the total storage capacity of the reservoir and allocation of storage capacity to each of its functions, such as dead storage, power storage, irrigation storage, and flood control storage. Identification, by reservoir elevation, of the portion of the reservoir assigned to each of its respective storage functions.

(4) An elevation-capacity curve, or a tabulation of reservoir pool elevations with corresponding reservoir storage capacities.

(5) A copy of rule curves, coordination contracts, agreements, or other relevant data governing the release of water from the reservoir, including a separate statement of their effective dates.

(6) A curve or tabulation showing actual reservoir pool elevations throughout the immediately preceding calendar year and for each year included in an investigation.

(7) The total annual gross generation of the hydroelectric plant in kilowatt-

§ 11.17

18 CFR Ch. I (4–1–13 Edition)

hours, not including energy from pumped storage operation.

(8) The total number of kilowatt-hours of energy produced from pumped storage operation.

(9) The investigation costs attributed to the power generation function of the project as of the close of the calendar year or at a specified date during the year, categorized according to that portion that is attributed to the specific power costs, and that portion that is attributed to the joint-use power costs.

(10) The portion of the joint-use power cost, and other costs required by law to be allocated to joint-use power cost, each item shown separately, that are attributable to the annual costs of interest, maintenance, and depreciation, identifying the annual interest rate and the method used to compute the depreciation charge, or the interest rate and period used to compute amortization if used in lieu of depreciation, including any differing interest rates used for major replacements or rehabilitation.

(c) *Data required from owners of downstream projects.* The owner of any hydroelectric project which is downstream from a headwater project constructed by the United States, a licensee, or pre-1920 permittee must submit the following:

(1) Name and location of the downstream project, including the name of the stream on which it is located.

(2) Total nameplate rating of the installed generating capacity of the plant, expressed in kilowatts, with the portion of total capacity that represents pumped storage generating capacity separately designated.

(3) Record of daily gross generation, not including energy used for pumped storage, and any unit outage which may have occurred.

(4) The total number of kilowatt-hours of energy produced from pumped storage operation.

(d) *Abbreviated data submissions.* (1) For those items in paragraphs (b) and (c) of this section in which data for the current period are the same as data furnished for a prior period, the data need not be resubmitted if the owner identifies the last period for which the data were reported.

(2) The Commission will notify the project owner that certain data items in paragraphs (b) and (c) are no longer required to be submitted annually if:

(i) A variable in the headwater benefits formula has become a constant; or

(ii) A prospective final charge, as described in § 11.17(b)(5), has been established.

(e) *Additional data.* Owners of headwater projects or downstream projects must furnish any additional data required by the Commission staff under paragraph (a) of this section and may provide other data which they consider relevant.

§ 11.17 Procedures for payment of charges and costs.

(a) *Payment for benefits from a non-Federal headwater project.* Any billing procedures and payments determined between a non-Federal headwater project owner and a downstream project owner will occur according to the agreement of those parties.

(b) *Charges and payment for benefits from a Federal headwater project—(1) Interim charges.* (i) If the Commission has not established a final charge and an investigation is pending, the Commission will issue a downstream project owner a bill for the interim charge and costs and a staff report explaining the calculation of the interim charge.

(ii) An interim charge will be a percentage of the estimate by the Commission staff of what the final charge will be, as follows:

(A) 100 percent of the estimated final charge if the Commission previously has completed an investigation of the project for which it is assessed; or

(B) 80 percent of the estimated final charge if the Commission has not completed an investigation of the project for which it is assessed.

(iii) When a final charge is established for a period for which an interim charge was paid, the Commission will apply the amount paid to the final charge.

(2) *Preliminary assessment of a final charge.* Unless the project owner was assessed a final charge in the previous year, the Commission will issue to the downstream project owner a preliminary assessment of any final charge when it is determined. A staff technical

report explaining the basis of the assessment will be enclosed with the preliminary assessment. Copies of the preliminary assessment will be mailed to all parties.

(3) *Opportunity to respond.* After issuance of a preliminary assessment of a final charge, parties may respond in writing within 60 days after the preliminary assessment.

(4) *Order and bill.* (i) After the opportunity for written response by the parties to the preliminary assessment of a final charge, the Commission will issue to the downstream project owner an order establishing the final charge. Copies of the order will be mailed to all parties. A bill will be issued for the amount of the final charge and costs.

(ii) If a final charge is not established prospectively under paragraph (b)(5) of this section, the Commission will issue an order and a bill for the final charge and costs each year until prospective final charges are established. After the Commission issues an order establishing a prospective final charge, a bill will be issued annually for the amount of the final charge and costs.

(5) *Prospective final charges.* When the Commission determines that historical data, including the hydrology, development, and other characteristics of the river basin, demonstrate sufficient stability to project average energy gains and section 10(f) costs, the Commission will issue to the downstream project owner an order establishing the final charge from future years. Copies of the order will be mailed to all parties. The prospective final charge will remain in effect until a new investigation is initiated under § 11.15(d)(2).

(6) *Payment under protest.* Any payment of a final charge required by this section may be made under protest if a party is also appealing the final charge pursuant to § 385.1902, or requesting rehearing. If payment is made under protest, that party will avoid any penalty for failure to pay under § 11.21.

(7) *Accounting for payments pending appeal or rehearing.* The Commission will retain any payment received for final charges from bills issued pursuant to this section in a special account. No disbursements to the U.S. Treasury will be made from the account until 31 days after the bill is issued. If an ap-

peal under § 385.1902 or a request for rehearing is filed by any party, no disbursements to the U.S. Treasury will be made until final disposition of the appeal or request for rehearing.

(c) *Charges for costs of determinations of headwater benefits charges.* (1) Any owner of a downstream project that benefits from a Federal headwater project must pay to the United States the cost of making any investigation, study, or determination relating to the assessment of the relevant headwater benefits charge under this subpart.

(2) If any owner of a headwater or downstream project requests that the Commission determine headwater benefits charges for benefits provided by non-Federal headwater projects, the headwater project owners must pay a pro rata share of 50 percent of the cost of making the investigation and determination, in proportion to the benefits provided by their projects, and the downstream project owners must pay a pro rata share of the remaining 50 percent in proportion to the energy gains received by their projects.

(3) Any charge assessed under this paragraph is separate from and will be added to, any final or interim charge under this subpart.

Subpart C—General Procedures

§ 11.20 Time for payment.

Annual charges must be paid no later than 45 days after rendition of a bill by the Commission. If the licensee or exemptee believes that the bill is incorrect, no later than 45 days after its rendition the licensee or exemptee may file an appeal of the bill with the Chief Financial Officer. No later than 30 days after the date of issuance of the Chief Financial Officer's decision on the appeal, the licensee or exemptee may file a request for rehearing of that decision pursuant to § 385.713 of this chapter. In the event that a timely appeal to the Chief Financial Officer or a timely request to the Commission for rehearing is filed, the payment of the bill may be made under protest, and subject to refund pending the outcome of the appeal or rehearing.

[60 FR 15048, Mar. 22, 1995]

§ 11.21

18 CFR Ch. I (4–1–13 Edition)

§ 11.21 Penalties.

If any person fails to pay annual charges within the periods specified in § 11.20, a penalty of 5 percent of the total delinquent amount will be assessed and added to the total charges for the first month or part of month in which payment is delinquent. An additional penalty of 3 percent for each full month thereafter will be assessed until the charges and penalties are satisfied in accordance with law. The Commission may, by order, waive any penalty imposed by this subsection, for good cause shown.

[51 FR 24318, July 3, 1986]

APPENDIX A TO PART 11—FEE
SCHEDULE FOR FY 2013

State	County	Fee/acre/Yr
Alabama	Autauga	\$53.06
	Baldwin	89.12
	Barbour	48.00
	Bibb	61.16
	Blount	87.24
	Bullock	55.08
	Butler	58.11
	Calhoun	86.56
	Chambers	49.30
	Cherokee	59.31
	Chilton	75.66
	Choctaw	46.85
	Clarke	44.72
	Clay	63.88
	Cleburne	83.84
	Coffee	59.17
	Colbert	58.82
	Conecuh	49.98
	Coosa	56.88
	Covington	61.08
	Crenshaw	58.08
	Cullman	101.36
	Dale	57.51
	Dallas	44.94
	DeKalb	94.36
	Elmore	71.03
	Escambia	57.43
	Etowah	82.01
	Fayette	46.33
	Franklin	57.56
	Geneva	56.31
	Greene	42.14
	Hale	49.85
	Henry	49.49
	Houston	57.92
	Jackson	57.45
	Jefferson	93.62
	Lamar	38.84
	Lauderdale	63.48
	Lawrence	70.94
	Lee	82.09
	Limestone	72.47
	Lowndes	44.45
	Macon	51.29
	Madison	72.96
	Marengo	45.68
	Marion	54.86
	Marshall	101.03
Alaska	Mobile	87.13
	Monroe	48.84
	Montgomery	53.09
	Morgan	77.98
	Perry	43.58
	Pickens	51.13
	Pike	59.09
	Randolph	66.04
	Russell	59.58
	St. Clair	96.10
	Shelby	101.11
	Sumter	39.30
	Talladega	63.37
	Tallapoosa	67.48
	Tuscaloosa	67.32
	Walker	68.49
	Washington	57.62
	Wilcox	37.67
	Winston	70.53
	Aleutian Islands Chain	1.52
	Anchorage BLM District	85.41
	Fairbanks BLM District	18.77
	Juneau Area	1,316.83
	Kenai Peninsula	32.05
	All Areas	9.44
Arizona	Apache	2.56
	Cochise	25.13
	Coconino	2.60
	Gila	5.01
	Graham	7.26
	Greenlee	30.88
	La Paz	14.30
	Maricopa	111.99
	Mohave	7.43
	Navajo	3.64
	Pima	5.88
	Pinal	47.94
	Santa Cruz	30.19
	Yavapai	23.44
	Yuma	110.18
Arkansas	Arkansas	50.21
	Ashley	55.16
	Baxter	65.93
	Benton	117.83
	Boone	65.26
	Bradley	69.35
	Calhoun	52.35
	Carroll	61.10
	Chicot	42.47
	Clark	50.18
	Clay	53.65
	Cleburne	68.03
	Cleveland	85.17
	Columbia	59.23
	Conway	61.01
	Craighead	58.77
	Crawford	78.10
	Crittenden	51.68
	Cross	48.07
	Dallas	40.85
	Desha	45.88
	Drew	47.20
	Faulkner	73.17
	Franklin	58.29
	Fulton	42.78
	Garland	88.06
	Grant	69.04
	Greene	60.02
	Hempstead	50.50
	Hot Spring	64.49
	Howard	62.98
	Independence	51.89
	Izard	43.76
	Jackson	48.62

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
California	Jefferson	50.83	Colorado	Sacramento	50.96
	Johnson	61.37		San Benito	21.13
	Lafayette	46.22		San Bernardino	24.01
	Lawrence	51.94		San Diego	145.93
	Lee	48.28		San Francisco	3,466.08
	Lincoln	52.28		San Joaquin	77.09
	Little River	42.80		San Luis Obispo	34.47
	Logan	61.65		San Mateo	70.82
	Lonoke	51.80		Santa Barbara	53.69
	Madison	71.71		Santa Clara	43.36
	Marion	47.40		Santa Cruz	170.01
	Miller	44.97		Shasta	23.94
	Mississippi	53.94		Sierra	19.78
	Monroe	48.24		Siskiyou	18.96
	Montgomery	69.06		Solano	37.41
	Nevada	49.78		Sonoma	120.46
	Newton	56.51		Stanislaus	71.85
	Ouachita	55.26		Sutter	49.73
	Perry	59.13		Tehama	24.14
	Phillips	43.48		Trinity	9.43
	Pike	55.33		Tulare	62.67
	Poinsett	53.89		Tuolumne	25.76
	Polk	70.46		Ventura	172.73
	Pope	69.61		Yolo	41.40
	Prairie	44.61		Yuba	44.97
	Pulaski	59.11		Adams	22.01
	Randolph	46.84		Alamosa	29.32
	St. Francis	48.77		Arapahoe	28.38
	Saline	74.90		Archuleta	30.75
	Scott	59.92		Baca	12.05
	Searcy	43.07		Bent	9.59
	Sebastian	73.20		Boulder	59.05
	Sevier	58.24		Broomfield	30.67
	Sharp	44.73		Chaffee	39.13
	Stone	48.81		Cheyenne	11.96
	Union	82.19		Clear Creek	23.25
	Van Buren	59.01		Conejos	23.14
	Washington	99.34		Costilla	15.09
	White	59.73		Crowley	9.35
	Woodruff	48.45		Custer	30.38
	Yell	59.90		Delta	53.59
	Alameda	29.40		Denver*	19.36
	Alpine	51.94		Dolores	19.55
	Amador	36.12		Douglas	59.55
	Butte	56.96		Eagle	21.16
	Calaveras	27.79		Elbert	18.79
	Colusa	30.17		El Paso	24.73
	Contra Costa	50.08		Fremont	28.80
	Del Norte	51.56		Garfield	33.52
	El Dorado	77.04		Gilpin	23.69
	Fresno	60.10		Grand	28.01
	Glenn	36.57		Gunnison	33.13
	Humboldt	18.64		Hinsdale	50.94
	Imperial	40.11		Huerfano	12.36
	Inyo	7.21		Jackson	18.07
	Kern	35.07		Jefferson	63.03
	Kings	41.44		Kiowa	10.05
	Lake	69.62		Kit Carson	14.40
	Lassen	10.49		Lake	31.60
	Los Angeles	106.35		La Plata	25.64
	Madera	51.43		Larimer	46.16
	Marin	38.33		Las Animas	8.50
	Mariposa	12.50		Lincoln	10.66
	Mendocino	40.28		Logan	16.10
	Merced	54.67		Mesa	61.73
	Modoc	11.06		Mineral	32.63
	Mono	23.41		Moffat	13.36
	Monterey	35.22		Montezuma	17.05
	Napa	205.64		Montrose	44.15
	Nevada	55.58		Morgan	20.23
	Orange	91.70		Otero	11.09
	Placer	77.25		Ouray	26.71
	Plumas	13.88		Park	15.79
	Riverside	119.53		Phillips	20.68

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
	Pitkin	47.02		Osceola	47.07
	Prowers	12.77		Palm Beach	75.70
	Pueblo	12.40		Pasco	141.53
	Rio Blanco	17.77		Pinellas	453.80
	Rio Grande	41.06		Polk	131.45
	Routt	25.27		Putnam	97.90
	Saguache	24.17		St. Johns	161.82
	San Juan	19.36		St. Lucie	113.16
	San Miguel	26.62		Santa Rosa	106.39
	Sedgwick	17.77		Sarasota	140.55
	Summit	28.60		Seminole	156.36
	Teller	23.58		Sumter	106.40
	Washington	13.48		Suwannee	113.71
	Weld	28.69		Taylor	86.39
	Yuma	19.34		Union	84.71
Connecticut	Fairfield	375.51		Volusia	181.80
	Hartford	379.29		Wakulla	58.18
	Litchfield	326.92		Walton	83.18
	Middlesex	446.24		Washington	82.12
	New Haven	344.58	Georgia	Appling	69.84
	New London	308.88		Atkinson	73.43
	Tolland	311.88		Bacon	70.10
	Windham	237.63		Baker	66.20
Delaware	Kent	267.08		Baldwin	62.82
	New Castle	319.98		Banks	166.10
	Sussex	275.37		Barrow	164.41
Florida	Alachua	133.82		Bartow	119.83
	Baker	117.55		Ben Hill	58.33
	Bay	141.07		Berrien	72.85
	Bradford	126.86		Bibb	99.19
	Brevard	72.42		Bleckley	68.02
	Broward	488.89		Brantley	71.00
	Calhoun	80.55		Brooks	75.65
	Charlotte	59.63		Bryan	50.41
	Citrus	141.01		Bulloch	69.23
	Clay	97.08		Burke	64.40
	Collier	109.92		Butts	93.60
	Columbia	129.96		Calhoun	52.47
	DeSoto	102.25		Camden	46.67
	Dixie	68.04		Candler	71.40
	Duval	163.04		Carroll	140.24
	Escambia	87.29		Catoosa	147.52
	Flagler	73.21		Charlton	55.93
	Franklin	47.21		Chatham	120.62
	Gadsden	101.68		Chattahoochee	64.11
	Gilchrist	123.70		Chattooga	86.60
	Glades	96.63		Cherokee	238.03
	Gulf	87.43		Clarke	129.07
	Hamilton	89.03		Clay	65.96
	Hardee	112.20		Clayton	154.23
	Hendry	62.48		Clinch	71.32
	Hernando	180.11		Cobb	150.27
	Highlands	75.64		Coffee	65.91
	Hillsborough	187.49		Colquitt	76.89
	Holmes	78.16		Columbia	103.71
	Indian River	96.50		Cook	76.55
	Jackson	68.35		Coweta	97.50
	Jefferson	82.94		Crawford	77.86
	Lafayette	69.81		Crisp	59.28
	Lake	194.04		Dade	83.86
	Lee	199.04		Dawson	182.31
	Leon	70.34		Decatur	70.18
	Levy	95.84		DeKalb	269.44
	Liberty	34.20		Dodge	52.97
	Madison	83.86		Dooly	55.17
	Manatee	114.19		Dougherty	67.65
	Marion	175.13		Douglas	191.63
	Martin	111.57		Early	63.29
	Dade	508.71		Echols	85.52
	Monroe	485.56		Effingham	84.41
	Nassau	116.74		Elbert	91.27
	Okaloosa	99.54		Emanuel	57.36
	Okeechobee	84.69		Evans	63.93
	Orange	120.96		Fannin	143.48

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
	Fayette	176.56		Talbot	55.75
	Floyd	97.53		Taliaferro	69.13
	Forsyth	220.24		Tattnall	73.54
	Franklin	170.19		Taylor	56.64
	Fulton	146.44		Telfair	59.65
	Gilmer	199.28		Terrell	62.74
	Glascock	56.78		Thomas	71.93
	Glynn	93.94		Tift	68.15
	Gordon	141.93		Toombs	56.51
	Grady	78.89		Towns	166.79
	Greene	104.73		Treutlen	58.60
	Gwinnett	253.76		Troup	100.93
	Habersham	184.47		Turner	65.43
	Hall	196.01		Twiggs	67.54
	Hancock	66.44		Union	156.81
	Haralson	108.64		Upson	83.75
	Harris	87.97		Walker	113.52
	Hart	151.08		Walton	154.04
	Heard	109.41		Ware	80.64
	Henry	158.11		Warren	66.01
	Houston	97.45		Washington	58.52
	Irwin	59.36		Wayne	76.44
	Jackson	163.15		Webster	59.81
	Jasper	101.22		Wheeler	56.49
	Jeff Davis	58.81		White	190.04
	Jefferson	56.70		Whitfield	123.53
	Jenkins	50.55		Wilcox	58.99
	Johnson	51.92		Wilkes	69.31
	Jones	93.94		Wilkinson	58.86
	Lamar	109.93		Worth	63.95
	Lanier	62.61	Hawaii	Hawaii	143.51
	Laurens	55.93		Honolulu	365.38
	Lee	66.04		Kauai	128.26
	Liberty	53.63		Maui	169.38
	Lincoln	77.52	Idaho	Ada	51.25
	Long	58.02		Adams	16.43
	Lowndes	97.71		Bannock	18.34
	Lumpkin	172.86		Bear Lake	15.91
	McDuffie	75.20		Benewah	19.82
	McIntosh	61.84		Bingham	21.21
	Macon	74.54		Blaine	19.66
	Madison	133.14		Boise	18.28
	Marion	66.25		Bonner	51.62
	Meriwether	96.00		Bonneville	24.73
	Miller	70.40		Boundary	46.54
	Mitchell	69.02		Butte	18.27
	Monroe	85.62		Camas	14.95
	Montgomery	65.38		Canyon	74.72
	Morgan	136.17		Caribou	13.16
	Murray	106.13		Cassia	20.31
	Muscogee	85.81		Clark	10.70
	Newton	113.23		Clearwater	25.28
	Oconee	144.38		Custer	28.79
	Oglethorpe	96.63		Elmore	16.82
	Paulding	174.44		Franklin	25.34
	Peach	98.66		Fremont	22.98
	Pickens	174.29		Gem	27.56
	Pierce	75.36		Gooding	48.57
	Pike	110.12		Idaho	17.20
	Polk	111.94		Jefferson	25.35
	Pulaski	69.97		Jerome	41.97
	Putnam	109.51		Kootenai	49.51
	Quitman	67.47		Latah	25.35
	Rabun	143.06		Lemhi	19.36
	Randolph	56.64		Lewis	18.42
	Richmond	107.77		Lincoln	26.19
	Rockdale	145.01		Madison	33.35
	Schley	79.58		Minidoka	29.56
	Screven	62.19		Nez Perce	17.90
	Seminole	60.07		Oneida	14.32
	Spalding	142.48		Owyhee	16.70
	Stephens	134.85		Payette	34.27
	Stewart	64.85		Power	12.73
	Sumter	61.79		Shoshone	71.26

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Illinois	Teton	44.61	Indiana	Ogle	125.98
	Twin Falls	30.25		Peoria	107.92
	Valley	40.20		Perry	77.89
	Washington	11.94		Piatt	121.34
	Adams	97.42		Pike	97.67
	Alexander	85.92		Pope	63.14
	Bond	94.61		Pulaski	82.14
	Boone	137.28		Putnam	109.37
	Brown	84.73		Randolph	89.34
	Bureau	112.42		Richland	85.39
	Calhoun	86.34		Rock Island	113.78
	Carroll	102.12		St. Clair	105.53
	Cass	98.86		Saline	80.28
	Champaign	120.87		Sangamon	108.09
	Christian	116.09		Schuyler	90.56
	Clark	89.84		Scott	100.12
	Clay	81.59		Shelby	98.61
	Clinton	105.78		Stark	114.50
	Coles	107.62		Stephenson	107.42
	Cook	289.51		Tazewell	112.12
	Crawford	91.06		Union	73.61
	Cumberland	97.86		Vermilion	109.73
	DeKalb	128.70		Wabash	90.03
	De Witt	115.84		Warren	113.62
	Douglas	116.84		Washington	93.73
	DuPage	208.59		Wayne	74.92
	Edgar	106.20		White	78.89
	Edwards	77.42		Whiteside	106.12
	Effingham	100.28		Will	156.65
	Fayette	81.84		Williamson	78.73
	Ford	110.42		Winnebago	122.53
	Franklin	70.42		Woodford	117.73
	Fulton	97.86		Adams	120.40
	Gallatin	82.56		Allen	111.66
	Greene	100.78		Bartholomew	105.39
	Grundy	115.37		Benton	93.90
	Hamilton	83.36		Blackford	76.09
	Hancock	92.34		Boone	108.44
	Hardin	63.67		Brown	119.32
	Henderson	95.81		Carroll	114.38
	Henry	109.73		Cass	99.17
	Iroquois	112.00		Clark	99.31
	Jackson	77.73		Clay	87.55
	Jasper	91.92		Clinton	114.77
	Jefferson	78.73		Crawford	80.58
	Jersey	101.67		Daviess	100.95
	Jo Daviess	111.20		Dearborn	106.64
	Johnson	65.11		Decatur	98.87
	Kane	135.01		DeKalb	100.62
	Kankakee	120.28		Delaware	97.62
	Kendall	120.23		Dubois	89.71
	Knox	111.67		Elkhart	153.95
	Lake	175.73		Fayette	90.77
	La Salle	116.70		Floyd	128.53
	Lawrence	91.06		Fountain	95.73
	Lee	119.81		Franklin	102.00
	Livingston	115.03		Fulton	93.04
	Logan	116.75		Gibson	87.41
	McDonough	107.87		Grant	94.82
	McHenry	139.98		Greene	80.67
	McLean	116.14		Hamilton	126.12
	Macon	123.92		Hancock	113.77
	Macoupin	106.50		Harrison	90.18
	Madison	114.95		Hendricks	114.16
	Marion	86.70		Henry	95.76
	Marshall	112.34		Howard	115.10
	Mason	91.67		Huntington	96.09
	Massac	70.34		Jackson	83.39
	Menard	106.48		Jasper	92.79
	Mercer	102.42		Jay	110.30
	Monroe	98.78		Jefferson	94.49
	Montgomery	105.92		Jennings	88.49
	Morgan	109.28		Johnson	123.57
	Moultrie	117.45		Knox	95.93

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Iowa	Kosciusko	103.50	Iowa	Dallas	93.06
	LaGrange	141.33		Davis	65.33
	Lake	109.91		Decatur	57.34
	LaPorte	101.42		Delaware	105.80
	Lawrence	77.78		Des Moines	91.50
	Madison	103.67		Dickinson	98.48
	Marion	162.97		Dubuque	94.50
	Marshall	98.68		Emmet	100.04
	Martin	89.66		Fayette	93.92
	Miami	93.01		Floyd	103.77
	Monroe	101.03		Franklin	101.38
	Montgomery	104.20		Fremont	85.21
	Morgan	108.41		Greene	106.03
	Newton	100.15		Grundy	109.26
	Noble	102.56		Guthrie	83.37
	Ohio	99.09		Hamilton	109.84
	Orange	80.67		Hancock	99.51
	Owen	89.10		Hardin	105.36
	Parke	85.94		Harrison	82.56
	Perry	73.98		Henry	85.04
	Pike	77.34		Howard	84.93
	Porter	115.46		Humboldt	104.41
	Posey	84.55		Ida	89.49
	Pulaski	86.10		Iowa	85.76
	Putnam	99.81		Jackson	79.03
	Randolph	87.44		Jasper	96.12
	Ripley	96.54		Jefferson	79.22
	Rush	102.09		Johnson	104.41
	St. Joseph	101.28		Jones	97.31
	Scott	85.69		Keokuk	82.78
	Shelby	105.28		Kossuth	100.29
	Spencer	84.63		Lee	75.43
	Starke	84.22		Linn	104.72
	Steuben	108.72		Louisa	88.82
	Sullivan	83.16		Lucas	60.51
	Switzerland	97.70		Lyon	116.97
	Tippecanoe	109.44		Madison	82.25
	Tipton	114.33		Mahaska	85.40
	Union	104.22		Marion	81.14
	Vanderburgh	95.21		Marshall	103.66
	Vermillion	88.21		Mills	92.78
	Vigo	85.27		Mitchell	99.71
	Wabash	99.29		Monona	88.30
	Warren	98.01		Monroe	62.91
	Warrick	84.72		Montgomery	81.25
	Washington	78.36		Muscatine	98.76
	Wayne	90.82		O'Brien	117.05
	Wells	96.12		Osceola	107.97
	White	106.42		Page	75.55
	Whitley	106.00		Palo Alto	100.71
	Adair	75.43		Plymouth	100.99
	Adams	71.06		Pocahontas	102.52
	Allamakee	77.52		Polk	107.06
	Appanoose	60.10		Pottawattamie	101.04
	Audubon	96.56		Poweshiek	92.44
	Benton	100.46		Ringgold	63.27
	Black Hawk	108.53		Sac	107.36
	Boone	104.58		Scott	117.08
	Bremer	110.17		Shelby	89.44
	Buchanan	104.94		Sioux	126.21
	Buena Vista	106.58		Story	99.07
	Butler	97.73		Tama	96.45
	Calhoun	106.08		Taylor	69.23
	Carroll	102.46		Union	70.09
	Cass	85.46		Van Buren	68.98
	Cedar	102.38		Wapello	85.90
	Cerro Gordo	99.87		Warren	87.13
	Cherokee	105.66		Washington	102.66
	Chickasaw	100.85		Wayne	62.32
	Clarke	64.38		Webster	100.63
	Clay	100.49		Winnebago	93.28
	Clayton	86.51		Winneshiek	90.47
	Clinton	94.81		Woodbury	82.98
	Crawford	86.71		Worth	98.57

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Kansas	Wright	108.84	Kentucky	Phillips	19.16
	Allen	27.67		Pottawatomie	32.75
	Anderson	28.06		Pratt	24.57
	Atchison	37.50		Rawlins	17.52
	Barber	17.82		Reno	27.81
	Barton	23.17		Republic	30.45
	Bourbon	30.78		Rice	24.60
	Brown	46.81		Riley	34.18
	Butler	29.95		Rooks	18.04
	Chase	26.60		Rush	19.22
	Chautauqua	24.22		Russell	18.09
	Cherokee	34.10		Saline	29.51
	Cheyenne	16.91		Scott	20.43
	Clark	17.35		Sedgwick	39.65
	Clay	32.04		Seward	19.96
	Cloud	27.87		Shawnee	43.87
	Coffey	26.82		Sheridan	21.28
	Comanche	14.61		Sherman	20.76
	Cowley	26.27		Smith	21.50
	Crawford	29.62		Stafford	23.80
	Decatur	18.04		Stanton	21.00
	Dickinson	29.13		Stevens	21.69
	Doniphan	47.03		Sumner	25.75
	Douglas	52.82		Thomas	22.43
	Edwards	24.08		Trego	16.97
	Elk	26.96		Wabaunsee	26.77
	Ellis	21.25		Wallace	17.10
	Ellsworth	20.73		Washington	28.39
	Finney	21.50		Wichita	18.37
	Ford	19.55		Wilson	26.38
	Franklin	45.38		Woodson	25.51
	Geary	34.46		Wyandotte	66.74
	Gove	16.53		Adair	68.34
	Graham	16.97		Allen	77.19
	Grant	21.96		Anderson	75.11
	Gray	23.39		Ballard	71.21
	Greeley	19.41		Barren	76.97
	Greenwood	26.30		Bath	55.87
	Hamilton	18.42		Bell	53.57
	Harper	20.26		Boone	136.23
	Harvey	37.48		Bourbon	130.07
	Haskell	29.16		Boyd	71.96
	Hodgeman	16.31		Boyle	89.47
	Jackson	32.42		Bracken	56.78
	Jefferson	44.12		Breathitt	41.93
	Jewell	22.71		Breckinridge	58.52
	Johnson	55.02		Bullitt	104.71
	Kearny	18.92		Butler	53.51
	Kingman	23.04		Caldwell	54.76
	Kiowa	17.30		Calloway	78.02
	Labette	28.17		Campbell	108.00
	Lane	16.42		Carlisle	65.68
	Leavenworth	53.57		Carroll	65.54
	Lincoln	21.58		Carter	49.17
	Linn	36.85		Casey	56.06
	Logan	16.75		Christian	71.35
	Lyon	26.82		Clark	92.62
	McPherson	30.91		Clay	51.83
	Marion	27.43		Clinton	63.53
	Marshall	34.59		Crittenden	52.27
	Meade	19.44		Cumberland	50.06
	Miami	56.39		Daviess	83.63
	Mitchell	25.31		Edmonson	59.99
	Montgomery	31.35		Elliott	43.12
	Morris	24.11		Estill	55.28
	Morton	15.81		Fayette	182.36
	Nemaha	38.68		Fleming	54.54
	Neosho	29.13		Floyd	64.24
	Ness	14.83		Franklin	89.83
	Norton	18.83		Fulton	62.53
	Osage	33.06		Gallatin	82.44
	Osborne	20.84		Garrard	72.51
	Ottawa	22.71		Grant	77.96
	Pawnee	23.50		Graves	77.58

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
	Grayson	59.46		Webster	64.33
	Green	64.16		Whitley	68.01
	Greenup	54.76		Wolfe	48.84
	Hancock	59.49		Woodford	192.71
	Hardin	79.51	Louisiana	Acadia	48.47
	Harlan	46.32		Allen	49.86
	Harrison	74.20		Ascension	91.09
	Hart	66.65		Assumption	67.35
	Henderson	77.11		Avoyelles	46.63
	Henry	90.38		Beauregard	58.63
	Hickman	72.51		Bienville	56.32
	Hopkins	60.48		Bossier	72.94
	Jackson	50.56		Caddo	56.11
	Jefferson	201.94		Calcasieu	46.76
	Jessamine	129.90		Caldwell	49.57
	Johnson	59.02		Cameron	46.82
	Kenton	123.12		Catahoula	42.96
	Knott	55.15		Claiborne	68.43
	Knox	60.65		Concordia	45.74
	Larue	75.78		De Soto	52.51
	Laurel	78.93		East Baton Rouge	105.89
	Lawrence	40.60		East Carroll	41.85
	Lee	35.90		East Feliciana	68.11
	Leslie	22.04		Evangeline	46.45
	Letcher	46.41		Franklin	45.58
	Lewis	42.26		Grant	48.63
	Lincoln	65.77		Iberia	65.59
	Livingston	54.32		Iberville	75.12
	Logan	73.59		Jackson	82.47
	Lyon	47.57		Jefferson	54.35
	McCracken	80.92		Jefferson Davis	46.42
	McCreary	66.07		Lafayette	89.67
	McLean	83.30		Lafourche	63.88
	Madison	81.61		La Salle	60.86
	Magoffin	46.49		Lincoln	83.68
	Marion	67.67		Livingston	113.75
	Marshall	70.55		Madison	42.20
	Martin	23.04		Morehouse	42.64
	Mason	69.91		Natchitoches	43.40
	Meade	81.45		Orleans	54.04
	Menifee	52.02		Ouachita	58.76
	Mercer	94.61		Plaquemines	33.11
	Metcalfe	64.52		Pointe Coupee	51.78
	Monroe	64.27		Rapides	65.83
	Montgomery	69.80		Red River	44.01
	Morgan	44.86		Richland	42.09
	Muhlenberg	54.68		Sabine	77.85
	Nelson	89.99		St. Bernard	30.88
	Nicholas	54.65		St. Charles	54.04
	Ohio	55.37		St. Helena	79.93
	Oldham	169.01		St. James	68.22
	Owen	63.03		St. John the Baptist	75.65
	Owsley	41.24		St. Landry	51.62
	Pendleton	69.91		St. Martin	63.23
	Perry	33.69		St. Mary	58.79
	Pike	25.89		St. Tammany	141.76
	Powell	53.27		Tangipahoa	102.27
	Pulaski	72.60		Tensas	42.35
	Robertson	49.31		Terrebonne	31.22
	Rockcastle	57.08		Union	77.33
	Rowan	54.73		Vermilion	52.51
	Russell	85.73		Vernon	81.82
	Scott	106.48		Washington	86.52
	Shelby	122.57		Webster	67.32
	Simpson	81.72		West Baton Rouge	78.67
	Spencer	91.13		West Carroll	48.26
	Taylor	68.50		West Feliciana	63.28
	Todd	79.04	Maine	Winn	56.77
	Trigg	71.44		Androscoggin	79.06
	Trimble	70.47		Aroostook	30.53
	Union	71.44		Cumberland	131.46
	Warren	86.73		Franklin	69.49
	Washington	68.17		Hancock	74.99
	Wayne	56.53		Kennebec	71.93

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Maryland	Knox	102.22	Minnesota	Grand Traverse	150.49
	Lincoln	101.66		Gratiot	79.83
	Oxford	73.04		Hillsdale	81.29
	Penobscot	60.40		Houghton	53.55
	Piscataquis	52.92		Huron	84.15
	Sagadahoc	98.25		Ingham	103.09
	Somerset	49.77		Ionia	92.70
	Waldo	59.90		Iosco	72.71
	Washington	29.90		Iron	73.54
	York	124.40		Isabella	80.37
	Allegany	119.76		Jackson	93.59
	Anne Arundel	359.24		Kalamazoo	112.85
	Baltimore	250.55		Kalkaska	92.70
	Calvert	232.70		Kent	130.55
	Caroline	149.91		Keweenaw	56.49
	Carroll	214.42		Lake	78.56
	Cecil	209.22		Lapeer	111.07
	Charles	184.68		Leelanau	190.74
	Dorchester	133.20		Lenawee	86.28
	Frederick	227.01		Livingston	136.08
	Garrett	157.55		Luce	79.48
	Harford	264.48		Mackinac	57.06
	Howard	359.45		Macomb	139.05
	Kent	166.10		Manistee	83.10
	Montgomery	261.18		Marquette	65.15
	Prince George's	257.38		Mason	86.12
	Queen Anne's	157.42		Mecosta	78.40
	St. Mary's	198.04		Menominee	60.14
	Somerset	172.52		Midland	80.94
Massachusetts	Talbot	167.84		Missaukee	78.78
	Washington	206.42		Monroe	103.22
	Wicomico	157.61		Montcalm	77.29
	Worcester	119.90		Montmorency	64.21
	Barnstable	869.31		Muskegon	106.89
	Berkshire	214.37		Newaygo	92.13
	Bristol	390.35		Oakland	227.22
	Dukes	369.19		Oceana	102.03
	Essex	453.25		Ogemaw	76.08
	Franklin	189.88		Ontonagon	42.90
	Hampden	259.78		Osceola	71.98
	Hampshire	219.70		Oscoda	69.07
	Middlesex	458.61		Otsego	71.71
	Nantucket	248.35		Ottawa	156.94
	Norfolk	507.42		Presque Isle	60.86
	Plymouth	358.03		Roscommon	112.48
	Suffolk	651.62		Saginaw	76.49
	Worcester	288.50		St. Clair	103.44
Michigan	Alcona	65.59		St. Joseph	91.24
	Alger	58.00		Sanilac	78.67
	Allegan	112.83		Schoolcraft	37.88
	Alpena	69.63		Shiawassee	79.45
	Antrim	104.11		Tuscola	81.72
	Arenac	64.61		Van Buren	115.50
	Baraga	55.23		Washtenaw	134.98
	Barry	94.18		Wayne	208.84
	Bay	76.03		Wexford	86.01
	Benzie	123.62		Aitkin	46.47
	Berrien	124.54		Anoka	161.10
	Branch	80.88		Becker	52.04
	Calhoun	81.26		Beltrami	43.04
	Cass	94.53		Benton	84.39
	Charlevoix	102.20		Big Stone	59.63
	Cheboygan	73.01		Blue Earth	98.37
	Chippewa	51.93		Brown	81.89
	Clare	77.40		Carlton	57.77
	Clinton	97.56		Carver	109.17
	Crawford	109.40		Cass	58.85
Gogebic	Delta	61.65		Chippewa	74.17
	Dickinson	66.61		Chisago	119.37
	Eaton	82.18		Clay	51.21
	Emmet	96.58		Clearwater	41.18
	Genesee	100.71		Cook	119.01
	Gladwin	79.88		Cottonwood	82.17
	Gogebic	92.08		Crow Wing	71.84

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
	Dakota	107.79		Bolivar	54.27
	Dodge	102.22		Calhoun	37.87
	Douglas	66.74		Carroll	40.86
	Faribault	87.99		Chickasaw	39.69
	Fillmore	79.82		Choctaw	48.10
	Freeborn	86.05		Claiborne	43.61
	Goodhue	98.90		Clarke	50.63
	Grant	61.87		Clay	39.83
	Hennepin	151.99		Coahoma	49.05
	Houston	74.19		Copiah	52.45
	Hubbard	64.17		Covington	67.41
	Isanti	110.75		DeSoto	63.82
	Itasca	55.00		Forrest	82.24
	Jackson	84.30		Franklin	50.68
	Kanabec	67.96		George	79.63
	Kandiyohi	78.74		Greene	64.34
	Kittson	32.79		Grenada	43.63
	Koochiching	37.44		Hancock	81.28
	Lac qui Parle	63.59		Harrison	130.55
	Lake	92.06		Hinds	50.65
	Lake of the Woods	33.12		Holmes	45.59
	Le Sueur	97.04		Humphreys	45.97
	Lincoln	62.51		Issaquena	46.98
	Lyon	76.08		Itawamba	40.91
	McLeod	94.14		Jackson	98.23
	Mahnomen	38.55		Jasper	55.66
	Marshall	35.78		Jefferson	48.94
	Martin	85.27		Jefferson Davis	55.74
	Meeker	83.28		Jones	84.71
	Mille Lacs	77.05		Kemper	37.57
	Morrison	64.36		Lafayette	54.33
	Mower	88.10		Lamar	74.02
	Murray	73.47		Lauderdale	46.65
	Nicollet	93.36		Lawrence	60.36
	Nobles	87.02		Leake	61.05
	Norman	43.40		Lee	48.45
	Olmsted	99.54		Leflore	46.55
	Otter Tail	55.69		Lincoln	62.30
	Pennington	38.05		Lowndes	48.56
	Pine	59.77		Madison	53.26
	Pipestone	75.19		Marion	66.84
	Polk	41.60		Marshall	49.18
	Pope	60.71		Monroe	40.34
	Ramsey	231.92		Montgomery	41.40
	Red Lake	37.36		Neshoba	66.05
	Redwood	83.83		Newton	55.44
	Renville	80.68		Noxubee	41.73
	Rice	116.85		Oktibbeha	48.64
	Rock	90.06		Panola	41.84
	Roseau	30.58		Pearl River	73.64
	St. Louis	54.31		Perry	66.49
	Scott	138.95		Pike	73.83
	Sherburne	106.57		Pontotoc	45.10
	Sibley	91.95		Prentiss	38.11
	Stearns	78.38		Quitman	42.11
	Steele	93.33		Rankin	68.12
	Stevens	68.93		Scott	56.42
	Swift	69.13		Sharkey	42.49
	Todd	60.60		Simpson	65.78
	Traverse	60.49		Smith	67.63
	Wabasha	81.04		Stone	74.48
	Wadena	53.17		Sunflower	47.36
	Waseca	96.24		Tallahatchie	41.59
	Washington	158.58		Tate	55.11
	Watsonwan	82.84		Tippah	39.58
	Wilkin	54.28		Tishomingo	42.00
	Winona	82.59		Tunica	49.21
	Wright	111.22		Union	41.43
	Yellow Medicine	70.12		Walthall	66.81
Mississippi	Adams	45.57		Warren	48.12
	Alcorn	45.35		Washington	48.64
	Amite	64.47		Wayne	67.85
	Attala	42.63		Webster	40.70
	Benton	38.96		Wilkinson	49.21

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Missouri	Winston	46.38	Montana	New Madrid	66.86
	Yalobusha	41.89		Newton	72.32
	Yazoo	46.00		Nodaway	57.96
	Adair	51.34		Oregon	47.04
	Andrew	66.75		Osage	53.43
	Atchison	67.61		Ozark	47.01
	Audrain	71.94		Pemiscot	59.58
	Barry	71.19		Perry	59.97
	Barton	51.23		Pettis	65.21
	Bates	53.90		Phelps	56.94
	Benton	52.41		Pike	65.29
	Bollinger	51.64		Platte	78.39
	Boone	77.34		Polk	59.69
	Buchanan	74.50		Pulaski	51.34
	Butler	62.48		Putnam	47.56
	Caldwell	55.12		Ralls	65.43
	Callaway	70.25		Randolph	56.05
	Camden	51.23		Ray	60.66
	Cape Girardeau	70.03		Reynolds	39.26
	Carroll	58.29		Ripley	47.67
	Carter	44.94		St. Charles	90.19
	Cass	78.28		St. Clair	49.27
	Cedar	50.26		Ste. Genevieve	59.78
	Chariton	54.29		St. Francois	72.68
	Christian	76.79		St. Louis	101.63
	Clark	54.34		Saline	60.91
	Clay	78.58		Schuyler	46.87
	Clinton	64.24		Scotland	54.18
	Cole	66.45		Scott	71.27
	Cooper	61.38		Shannon	48.42
	Crawford	51.26		Shelby	57.16
	Dade	50.15		Stoddard	65.32
	Dallas	61.29		Stone	67.97
	Daviess	53.41		Sullivan	43.18
	DeKalb	53.99		Taney	52.44
	Dent	46.40		Texas	47.89
	Douglas	50.87		Vernon	50.79
	Dunklin	68.16		Warren	91.65
	Franklin	82.50		Washington	51.39
	Gasconade	60.80		Wayne	47.04
	Gentry	51.53		Webster	72.05
	Greene	90.35		Worth	45.08
	Grundy	51.31		Wright	49.93
	Harrison	50.65		Beaverhead	26.20
	Henry	49.71		Big Horn	8.87
	Hickory	43.07		Blaine	13.33
	Holt	67.61		Broadwater	23.96
	Howard	58.15		Carbon	31.13
	Howell	47.81		Carter	8.57
	Iron	47.09		Cascade	19.80
	Jackson	90.05		Chouteau	14.61
	Jasper	60.93		Custer	11.37
	Jefferson	84.92		Daniels	12.85
	Johnson	61.40		Dawson	11.11
	Knox	52.30		Deer Lodge	31.98
	Laclede	53.16		Fallon	12.63
	Lafayette	74.58		Fergus	20.13
	Lawrence	68.02		Flathead	84.35
	Lewis	58.76		Gallatin	49.15
	Lincoln	86.44		Garfield	9.37
	Linn	50.35		Glacier	12.37
	Livingston	55.83		Golden Valley	16.37
	McDonald	65.35		Granite	29.96
	Macon	49.41		Hill	14.46
	Madison	47.15		Jefferson	26.59
	Maries	46.98		Judith Basin	18.28
	Marion	61.51		Lake	33.81
	Mercer	49.93		Lewis and Clark	21.30
	Miller	55.03		Liberty	10.09
	Mississippi	65.21		Lincoln	80.76
	Moniteau	65.48		McCone	10.35
	Monroe	62.42		Madison	34.33
	Montgomery	78.58		Meagher	25.41
	Morgan	61.10		Mineral	79.81

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Nebraska	Missoula	48.28	Nevada	Kearney	50.11
	Musselshell	13.22		Keith	21.40
	Park	39.48		Keya Paha	13.86
	Petroleum	10.59		Kimball	17.48
	Phillips	10.87		Knox	36.35
	Pondera	15.48		Lancaster	63.30
	Powder River	14.07		Lincoln	20.82
	Powell	19.65		Logan	12.76
	Prairie	13.48		Loup	11.21
	Ravalli	84.24		McPherson	9.11
	Richland	15.24		Madison	54.11
	Roosevelt	15.44		Merrick	45.72
	Rosebud	8.37		Morrill	16.13
	Sanders	32.91		Nance	36.35
	Sheridan	14.44		Nemaha	48.84
	Silver Bow	47.15		Nuckolls	41.15
	Stillwater	22.24		Otoe	54.48
	Sweet Grass	26.39		Pawnee	32.71
	Teton	18.44		Perkins	24.39
	Toole	12.91		Phelps	51.26
	Treasure	10.80		Pierce	49.79
	Valley	12.80		Platte	56.80
	Wheatland	12.13		Polk	61.60
	Wibaux	9.17		Red Willow	26.32
	Yellowstone	16.87		Richardson	47.39
	Adams	55.71		Rock	12.73
	Antelope	41.30		Saline	52.38
	Arthur	8.34		Sarpy	83.77
	Banner	13.71		Saunders	66.72
	Blaine	11.31		Scotts Bluff	27.19
	Boone	46.27		Seward	63.22
	Box Butte	20.57		Sheridan	12.04
	Boyd	19.50		Sherman	27.32
	Brown	12.48		Sioux	11.91
	Buffalo	41.95		Stanton	46.27
	Burt	62.27		Thayer	45.47
	Butler	61.37		Thomas	8.51
	Cass	64.10		Thurston	49.16
	Cedar	49.59		Valley	28.02
	Chase	25.04		Washington	76.63
	Cherry	10.14		Wayne	59.73
	Cheyenne	18.50		Webster	31.51
	Clay	57.18		Wheeler	17.50
	Colfax	61.25		York	65.82
	Cuming	62.25		Churchill	17.79
	Custer	25.47		Clark	27.06
	Dakota	44.07		Douglas	21.60
	Dawes	14.06		Elko	2.74
	Dawson	33.38		Esmeralda	12.00
	Deuel	17.70		Eureka	1.27
	Dixon	46.02		Humboldt	5.14
	Dodge	66.27		Lander	3.63
	Douglas	90.94		Lincoln	13.17
	Dundy	20.50		Lyon	11.28
	Fillmore	60.18		Mineral	8.74
	Franklin	32.28		Nye	11.44
	Frontier	19.55		Pershing	6.34
	Furnas	24.42		Storey	125.74
	Gage	44.84		Washoe	7.06
	Garden	11.64		White Pine	7.39
	Garfield	13.91		Carson City	27.71
	Gosper	30.64	New Hampshire ...	Belknap	152.45
	Grant	7.57		Carroll	124.87
	Greeley	29.69		Cheshire	122.71
	Hall	51.06		Coos	63.72
	Hamilton	65.04		Grafton	104.28
New Jersey	Harlan	28.61	New Jersey	Hillsborough	182.55
	Hayes	16.93		Merrimack	126.65
	Hitchcock	19.18		Rockingham	254.65
	Holt	22.37		Strafford	164.76
	Hooker	8.56		Sullivan	105.74
	Howard	38.93		Atlantic	359.87
	Jefferson	44.74		Bergen	1,679.35
	Johnson	38.33		Burlington	290.79

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
New Mexico	Camden	375.54	North Carolina	Kings	60.26
	Cape May	389.67		Lewis	42.51
	Cumberland	226.84		Livingston	53.35
	Essex	2,234.19		Madison	44.58
	Gloucester	375.20		Monroe	68.44
	Hudson	372.46		Montgomery	57.21
	Hunterdon	489.64		Nassau	2,622.21
	Mercer	456.61		New York	60.26
	Middlesex	492.43		Niagara	56.52
	Monmouth	575.66		Oneida	51.25
	Morris	597.21		Onondaga	63.46
	Ocean	439.69		Ontario	58.38
	Passaic	994.26		Orange	136.41
	Salem	254.24		Orleans	45.48
	Somerset	496.92		Oswego	49.88
	Sussex	330.69		Otsego	50.30
	Union	3,234.42		Putnam	369.87
	Warren	299.75		Queens	60.26
	Bernalillo	23.27		Rensselaer	83.52
	Catron	4.46		Richmond	3,199.08
	Chaves	5.35		Rockland	1,496.95
	Cibola	3.16		St. Lawrence	35.65
	Colfax	5.82		Saratoga	115.62
	Curry	11.44		Schenectady	95.28
	De Baca	4.01		Schoharie	56.68
	Dona Ana	33.17		Schuyler	57.69
	Eddy	6.57		Seneca	53.32
	Grant	4.10		Steuben	41.64
	Guadalupe	3.17		Suffolk	479.83
	Harding	5.87		Sullivan	92.52
	Hidalgo	2.95		Tioga	46.38
	Lea	3.90		Tompkins	59.92
	Lincoln	4.86		Ulster	105.55
	Los Alamos	5.87		Warren	91.97
	Luna	6.10		Washington	56.42
	McKinley	2.27		Wayne	60.52
	Mora	9.06		Westchester	842.63
	Otero	5.61		Wyoming	47.10
	Quay	6.29		Yates	75.36
	Rio Arriba	8.21		Alamance	122.34
	Roosevelt	8.19		Alexander	145.03
	Sandoval	6.29		Alleghany	150.63
	San Juan	5.44		Anson	94.66
	San Miguel	5.67		Ashe	153.02
	Santa Fe	11.66		Avery	200.66
	Sierra	3.78		Beaufort	68.10
	Socorro	4.81		Bertie	67.81
	Taos	10.86		Bladen	87.47
	Torrance	5.77		Brunswick	113.56
	Union	5.37		Buncombe	188.37
New York	Valencia	11.31		Burke	156.07
	Albany	84.92		Cabarrus	149.17
	Allegany	37.77		Caldwell	134.74
	Bronx	60.26		Camden	78.16
	Broome	48.90		Carteret	81.55
	Cattaraugus	46.14		Caswell	82.85
	Cayuga	56.29		Catawba	140.65
	Chautauqua	52.15		Chatham	148.59
	Chemung	48.47		Cherokee	179.06
	Chenango	47.76		Chowan	65.31
	Clinton	46.38		Clay	189.25
	Columbia	113.42		Cleveland	106.34
	Cortland	41.24		Columbus	87.44
	Delaware	60.07		Craven	81.63
	Dutchess	148.36		Cumberland	79.83
	Erie	78.51		Currituck	88.24
	Essex	62.30		Dare	59.82
	Franklin	38.49		Davidson	150.95
	Fulton	57.56		Davie	139.04
	Genesee	46.38		Duplin	108.33
	Greene	77.34		Durham	135.77
	Hamilton	60.26		Edgecombe	66.21
	Herkimer	46.17		Forsyth	178.63
	Jefferson	36.71		Franklin	99.12

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
North Dakota	Gaston	147.93	Ohio	Cavalier	26.40
	Gates	67.09		Dickey	28.93
	Graham	116.64		Divide	17.37
	Granville	88.67		Dunn	14.20
	Greene	90.92		Eddy	16.40
	Guilford	139.20		Emmons	18.87
	Halifax	63.14		Foster	21.15
	Harnett	140.73		Golden Valley	12.98
	Haywood	166.08		Grand Forks	29.38
	Henderson	273.64		Grant	14.37
	Hertford	54.48		Griggs	18.96
	Hoke	89.86		Hettinger	20.76
	Hyde	62.45		Kidder	15.93
	Iredell	152.89		LaMoure	29.21
	Jackson	191.79		Logan	20.32
	Johnston	114.49		McHenry	18.20
	Jones	74.10		McIntosh	20.15
	Lee	122.71		McKenzie	14.34
	Lenoir	89.75		McLean	21.68
	Lincoln	122.64		Mercer	16.70
	McDowell	157.43		Morton	17.65
	Macon	231.97		Mountrail	16.34
	Madison	140.04		Nelson	19.48
	Martin	78.00		Oliver	17.87
	Mecklenburg	411.35		Pembina	37.58
	Mitchell	135.03		Pierce	17.93
	Montgomery	98.54		Ramsey	19.59
	Moore	139.25		Ransom	28.57
	Nash	90.13		Renville	24.93
	New Hanover	212.76		Richland	38.36
	Northampton	66.96		Rolette	18.59
	Onslow	121.07		Sargent	31.24
	Orange	148.93		Sheridan	16.31
	Pamlico	65.36		Sioux	10.28
	Pasquotank	68.76		Slope	13.37
	Pender	106.87		Stark	19.84
	Perquimans	76.51		Steele	27.07
	Person	90.34		Stutsman	22.82
	Pitt	90.07		Towner	20.71
	Polk	197.85		Trail	38.19
	Randolph	128.55		Walsh	30.93
	Richmond	101.72		Ward	23.51
	Robeson	76.46		Wells	23.21
	Rockingham	102.92		Williams	18.34
	Rowan	137.87		Adams	78.89
	Rutherford	116.43		Allen	99.15
	Sampson	99.20		Ashland	103.64
	Scotland	76.83		Ashtabula	80.66
	Stanly	106.69		Athens	71.80
	Stokes	112.63		Auglaize	105.55
	Surry	124.41		Belmont	58.29
	Swain	162.76		Brown	81.10
	Transylvania	194.93		Butler	128.45
	Tyrrell	60.48		Carroll	88.16
	Union	138.16		Champaign	101.29
	Vance	87.68		Clark	105.94
	Wake	210.85		Clermont	114.85
	Warren	65.23		Clinton	99.76
	Washington	59.37		Columbiana	106.21
	Watauga	188.40		Coshocton	81.85
	Wayne	110.40		Crawford	88.60
	Wilkes	148.35		Cuyahoga	618.46
	Wilson	85.40		Darke	116.16
	Yadkin	137.82		Defiance	82.60
	Yancey	129.19		Delaware	123.96
	Adams	16.18		Erie	110.59
	Barnes	26.13		Fairfield	117.15
	Benson	20.18		Fayette	92.98
	Billings	13.09		Franklin	131.44
	Bottineau	20.40		Fulton	99.27
	Bowman	14.20		Gallia	76.09
	Burke	17.40		Geauga	166.66
	Burleigh	20.21		Greene	108.57
	Cass	40.77		Guernsey	72.21

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Oklahoma	Hamilton	183.47	Oregon	Cotton	26.76
	Hancock	90.02		Craig	36.14
	Hardin	89.74		Creek	43.73
	Harrison	62.94		Custer	29.43
	Henry	93.53		Delaware	57.10
	Highland	86.56		Dewey	23.13
	Hocking	93.39		Ellis	19.94
	Holmes	128.03		Garfield	28.00
	Huron	95.69		Garvin	36.58
	Jackson	70.16		Grady	35.53
	Jefferson	65.04		Grant	24.45
	Knox	98.49		Greer	19.72
	Lake	212.57		Harmon	23.54
	Lawrence	70.08		Harper	19.14
	Licking	111.70		Haskell	35.37
	Logan	86.94		Hughes	32.40
	Lorain	124.60		Jackson	23.87
	Lucas	120.47		Jefferson	28.99
	Madison	107.29		Johnston	33.50
	Mahoning	114.11		Kay	28.44
	Marion	85.39		Kingfisher	30.89
	Medina	152.70		Kiowa	25.33
	Meigs	70.69		Latimer	34.65
	Mercer	135.18		Le Flore	45.88
	Miami	107.93		Lincoln	45.00
	Monroe	57.43		Logan	38.04
	Montgomery	123.47		Love	41.20
	Morgan	60.56		McClain	46.29
	Morrow	95.31		McCurtain	43.54
	Muskingum	77.56		McIntosh	36.36
	Noble	63.46		Major	25.94
	Ottawa	80.05		Marshall	41.67
	Paulding	88.02		Mayes	54.04
	Perry	79.55		Murray	38.34
	Pickaway	95.36		Muskogee	44.83
	Pike	69.69		Noble	31.52
	Portage	128.62		Nowata	33.09
	Preble	100.65		Okluskee	32.62
	Putnam	96.55		Oklahoma	70.82
	Richland	100.12		Oklmulgee	47.94
	Ross	78.80		Osage	25.83
	Sandusky	85.50		Ottawa	49.29
	Scioto	73.04		Pawnee	34.27
	Seneca	86.50		Payne	45.63
	Shelby	113.58		Pittsburg	33.55
	Stark	131.77		Pontotoc	38.64
	Summit	219.93		Pottawatomie	39.16
	Trumbull	90.90		Pushmataha	35.75
	Tuscarawas	96.66		Roger Mills	21.26
	Union	92.59		Rogers	58.86
	Van Wert	99.18		Seminole	38.09
	Vinton	75.26		Sequoyah	46.45
	Warren	147.69		Stephens	32.98
	Washington	71.05		Texas	18.73
	Wayne	138.67		Tillman	22.77
	Williams	84.87		Tulsa	79.90
	Wood	93.01		Wagoner	48.90
	Wyandot	86.56		Washington	40.40
	Adair	52.67		Washita	27.53
	Alfalfa	25.52		Woods	22.20
	Atoka	33.91		Woodward	22.80
	Beaver	17.33		Baker	22.12
	Beckham	27.26		Benton	101.80
	Blaine	22.99		Clackamas	261.53
	Bryan	43.90		Clatsop	116.14
	Caddo	30.01		Columbia	123.57
	Canadian	41.25		Coos	71.43
	Carter	38.72		Crook	18.20
	Cherokee	51.24		Curry	66.84
	Choctaw	36.94		Deschutes	131.18
	Cimarron	13.78		Douglas	64.78
	Cleveland	66.12		Gilliam	8.44
	Coal	34.24		Grant	12.71
	Comanche	31.55		Harney	9.96

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Pennsylvania	Hood River	337.04	Puerto Rico	Pike	45.50
	Jackson	111.32		Potter	71.01
	Jefferson	15.43		Schuylkill	137.05
	Josephine	168.56		Snyder	136.20
	Klamath	30.10		Somerset	78.18
	Lake	17.70		Sullivan	67.81
	Lane	141.60		Susquehanna	89.66
	Lincoln	99.99		Tioga	80.86
	Linn	82.82		Union	161.55
	Malheur	20.94		Venango	75.01
	Marion	131.61		Warren	71.94
	Morrow	14.08		Washington	120.81
	Multnomah	241.09		Wayne	113.12
	Polk	104.27		Westmoreland	123.16
	Sherman	11.96		Wyoming	95.10
	Tillamook	118.81		York	155.32
	Umatilla	22.04		All Areas	211.59
	Union	28.67	Rhode Island	Bristol	640.29
	Wallowa	21.91		Kent	335.60
	Wasco	14.10		Newport	570.30
	Washington	194.05		Providence	438.42
	Wheeler	8.84	South Carolina	Washington	366.08
	Yamhill	168.71		Abbeville	73.10
Pennsylvania	Adams	174.70		Aiken	97.12
	Allegheny	158.19		Allendale	49.35
	Armstrong	85.56		Anderson	106.68
	Beaver	133.74		Bamberg	58.09
	Bedford	94.31		Barnwell	70.42
	Berks	188.18		Beaufort	59.72
	Blair	112.93		Berkeley	93.14
	Bradford	83.48		Calhoun	66.30
	Bucks	272.11		Charleston	187.66
	Butler	124.61		Cherokee	76.30
	Cambria	95.08		Chester	84.75
	Cameron	54.52		Chesterfield	64.03
	Carbon	149.52		Clarendon	53.57
	Centre	139.32		Colleton	53.84
	Chester	293.68		Darlington	47.78
	Clarion	79.35		Dillon	54.63
	Clearfield	69.07		Dorchester	90.35
	Clinton	115.50		Edgefield	82.52
	Columbia	115.12		Fairfield	75.89
	Crawford	78.86		Florence	69.88
	Cumberland	173.56		Georgetown	73.94
	Dauphin	166.83		Greenville	153.35
	Delaware	356.03		Greenwood	75.89
	Elk	93.49		Hampton	59.77
	Erie	109.51		Horry	93.71
	Fayette	99.75		Jasper	55.20
	Forest	90.51		Kershaw	82.50
	Franklin	166.23		Lancaster	99.67
	Fulton	95.40		Laurens	83.77
	Greene	85.53		Lee	57.31
	Huntingdon	100.05		Lexington	119.33
	Indiana	99.23		McCormick	68.71
	Jefferson	74.60		Marion	64.95
	Juniata	126.03		Marlboro	49.51
	Lackawanna	134.89		Newberry	79.17
	Lancaster	254.96		Oconee	147.23
	Lawrence	103.85		Orangeburg	61.10
	Lebanon	227.48		Pickens	155.43
	Lehigh	160.62		Richland	86.26
	Luzerne	129.28		Saluda	75.35
	Lycoming	94.58		Spartanburg	132.49
	McKean	57.81		Sumter	54.06
	Mercer	87.23		Union	69.61
	Mifflin	126.55		Williamsburg	65.98
	Monroe	193.30		York	108.09
	Montgomery	274.13	South Dakota	Aurora	37.82
	Montour	139.92		Beadle	36.05
	Northampton	166.34		Bennett	10.26
	Northumberland	110.42		Bon Homme	40.55
	Perry	120.84		Brookings	58.99
	Philadelphia	957.90		Brown	43.73

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Tennessee	Brule	29.03		Cocke	104.08
	Buffalo	15.18		Coffee	96.63
	Butte	13.55		Crockett	64.48
	Campbell	20.26		Cumberland	96.74
	Charles Mix	34.72		Davidson	171.51
	Clark	40.31		Decatur	58.02
	Clay	64.30		DeKalb	87.67
	Codington	43.29		Dickson	93.52
	Corson	10.39		Dyer	75.87
	Custer	15.90		Fayette	89.11
	Davison	47.16		Fentress	96.33
	Day	34.06		Franklin	102.92
	Deuel	43.48		Gibson	70.60
	Dewey	9.70		Giles	87.26
	Douglas	40.58		Grainger	104.41
	Edmunds	28.36		Greene	117.76
	Fall River	11.17		Grundy	89.41
	Faulk	26.81		Hamblen	105.16
	Grant	43.95		Hamilton	150.00
	Gregory	20.12		Hancock	81.49
	Haakon	11.75		Hardeman	68.39
	Hamlin	51.69		Hardin	70.30
	Hand	25.68		Hawkins	100.33
	Hanson	54.04		Haywood	66.74
	Harding	10.06		Henderson	64.51
	Hughes	23.06		Henry	74.82
	Hutchinson	50.64		Hickman	75.51
	Hyde	17.64		Houston	66.57
	Jackson	9.90		Humphreys	71.01
	Jerauld	25.32		Jackson	75.10
	Jones	10.81		Jefferson	129.04
	Kingsbury	41.94		Johnson	120.49
	Lake	66.68		Knox	178.49
	Lawrence	39.95		Lake	76.17
	Lincoln	84.87		Lauderdale	60.20
	Lyman	17.31		Lawrence	85.52
	McCook	57.91		Lewis	78.96
	McPherson	20.73		Lincoln	94.81
	Marshall	32.21		Loudon	136.32
	Meade	13.90		McMinn	110.97
	Mellette	10.01		McNairy	60.92
	Miner	41.69		Macon	90.15
	Minnehaha	76.27		Madison	77.25
	Moody	69.30		Marion	100.08
	Pennington	18.96		Marshall	90.04
	Perkins	11.33		Maury	104.36
	Potter	25.74		Meigs	98.73
	Roberts	40.64		Monroe	112.77
	Sanborn	34.00		Montgomery	89.30
	Shannon	5.89		Moore	90.51
	Spink	37.96		Morgan	79.67
	Stanley	10.95		Obion	70.30
	Sully	24.96		Overton	89.55
	Todd	8.07		Perry	58.36
	Tripp	20.12		Pickett	95.86
	Turner	62.03		Polk	128.65
	Union	71.38		Putnam	114.75
	Walworth	20.04		Rhea	99.12
	Yankton	54.54		Roane	117.21
	Ziebach	8.27		Robertson	105.98
	Anderson	147.32		Rutherford	126.11
	Bedford	101.98		Scott	86.51
	Benton	61.64		Sequatchie	93.35
	Bledsoe	87.84		Sevier	152.45
	Blount	153.33		Shelby	128.49
	Bradley	132.49		Smith	86.95
	Campbell	95.78		Stewart	74.74
	Cannon	89.16		Sullivan	140.48
	Carroll	70.08		Sumner	111.55
	Carter	111.44		Tipton	64.84
	Cheatham	113.04		Trousdale	89.22
	Chester	67.32		Unicoi	199.39
	Claiborne	85.71		Union	101.05
	Clay	68.12		Van Buren	78.51

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Texas	Warren	97.41		Ector	10.60
	Washington	152.07		Edwards	21.32
	Wayne	60.73		Ellis	65.09
	Weakley	69.80		El Paso	38.98
	White	90.62		Erath	63.97
	Williamson	148.01		Falls	42.28
	Wilson	112.90		Fannin	51.62
	Anderson	59.42		Fayette	73.40
	Andrews	9.05		Fisher	24.12
	Angelina	74.49		Floyd	26.86
	Aransas	36.74		Foard	18.64
	Archer	25.90		Fort Bend	61.55
	Armstrong	23.00		Franklin	60.06
	Atascosa	43.74		Freestone	46.43
	Austin	90.84		Frio	35.94
	Bailey	24.17		Gaines	25.32
	Bandera	61.02		Galveston	65.17
	Bastrop	73.03		Garza	16.35
	Baylor	15.63		Gillespie	69.27
	Bee	37.94		Glasscock	19.62
	Bell	62.80		Goliad	43.34
	Bexar	72.92		Gonzales	56.47
	Blanco	66.69		Gray	19.41
	Borden	15.41		Grayson	80.77
	Bosque	57.45		Gregg	91.21
	Bowie	49.30		Grimes	64.99
	Brazoria	58.25		Guadalupe	69.27
	Brazos	73.45		Hale	30.86
	Brewster	9.13		Hall	22.20
	Briscoe	16.48		Hamilton	45.55
	Brooks	27.66		Hansford	21.46
	Brown	48.05		Hardeman	21.59
	Burleson	60.09		Hardin	60.51
	Burnet	60.25		Harris	89.77
	Caldwell	61.68		Harrison	58.76
	Calhoun	42.41		Hartley	18.00
	Callahan	33.86		Haskell	23.64
	Cameron	51.46		Hays	75.21
	Camp	72.49		Hemphill	19.38
	Carson	21.72		Henderson	65.12
	Cass	57.37		Hidalgo	58.06
	Castro	27.53		Hill	49.01
	Chambers	38.63		Hockley	28.46
	Cherokee	61.95		Hood	72.68
	Childress	18.98		Hopkins	60.86
	Clay	35.19		Houston	54.60
	Cochran	23.24		Howard	20.45
	Coke	20.85		Hudspeth	7.53
	Coleman	34.26		Hunt	65.65
	Collin	92.17		Hutchinson	17.78
	Collingsworth	22.95		Irion	16.59
	Colorado	62.88		Jack	39.61
	Comal	80.03		Jackson	36.31
	Comanche	52.42		Jasper	74.57
	Concho	27.18		Jeff Davis	7.43
	Cooke	66.26		Jefferson	37.03
	Coryell	53.35		Jim Hogg	17.20
	Cottle	17.14		Jim Wells	38.90
	Crane	10.17		Johnson	90.73
	Crockett	10.84		Jones	29.20
	Crosby	18.37		Karnes	45.95
	Culberson	8.04		Kaufman	69.59
	Dallam	22.50		Kendall	72.36
	Dallas	87.99		Kenedy	15.44
	Dawson	22.66		Kent	16.03
	Deaf Smith	24.31		Kerr	47.49
	Delta	42.97		Kimble	39.72
	Denton	95.15		King	10.09
	DeWitt	49.41		Kinney	24.09
	Dickens	21.96		Kleberg	31.49
	Dimmit	26.81		Knox	22.74
	Donley	17.09		Lamar	43.82
	Duval	27.13		Lamb	27.61
	Eastland	46.06		Lampasas	49.46

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
	La Salle	29.68		Sterling	9.77
	Lavaca	56.65		Stonewall	17.81
	Lee	69.09		Sutton	21.19
	Leon	53.75		Swisher	19.33
	Liberty	53.22		Tarrant	96.56
	Limestone	41.69		Taylor	32.91
	Lipscomb	19.35		Terrell	5.99
	Live Oak	39.69		Terry	23.56
	Llano	50.18		Throckmorton	23.21
	Loving	3.49		Titus	54.66
	Lubbock	31.92		Tom Green	28.73
	Lynn	23.56		Travis	75.40
	McCulloch	35.38		Trinity	51.20
	McLennan	54.90		Tyler	74.65
	McMullen	27.98		Upshur	68.79
	Madison	55.88		Upton	13.66
	Marion	53.96		Uvalde	28.94
	Martin	17.17		Val Verde	12.17
	Mason	48.77		Van Zandt	81.01
	Matagorda	36.74		Victoria	41.29
	Maverick	24.04		Walker	65.25
	Medina	52.50		Waller	87.93
	Menard	28.99		Ward	9.85
	Midland	23.13		Washington	98.72
	Milam	50.96		Webb	19.89
	Mills	44.86		Wharton	46.99
	Mitchell	21.88		Wheeler	18.10
	Montague	54.84		Wichita	25.85
	Montgomery	100.87		Wilbarger	19.65
	Moore	22.84		Willacy	31.79
	Morris	60.33		Williamson	74.97
	Motley	15.84		Wilson	62.86
	Nacogdoches	64.45		Winkler	6.98
	Navarro	42.92		Wise	83.91
	Newton	50.00		Wood	77.15
	Nolan	27.34		Yoakum	22.52
	Nueces	34.34		Young	33.49
	Ochiltree	21.62		Zapata	24.47
	Oldham	8.68		Zavala	28.01
	Orange	67.46	Utah	Beaver	27.85
	Palo Pinto	51.59		Box Elder	10.98
	Panola	52.87		Cache	37.60
	Parker	97.12		Carbon	12.81
	Parmer	27.13		Daggett	18.89
	Pecos	7.21		Davis	64.33
	Polk	61.15		Duchesne	7.91
	Potter	17.62		Emery	15.43
	Presidio	11.07		Garfield	31.49
	Rains	64.48		Grand	5.02
	Randall	30.51		Iron	19.23
	Reagan	13.36		Juab	14.07
	Real	28.75		Kane	17.88
	Red River	35.38		Millard	14.14
	Reeves	8.39		Morgan	16.40
	Refugio	19.49		Plute	33.69
	Roberts	17.92		Rich	9.69
	Robertson	53.64		Salt Lake	38.89
	Rockwall	120.15		San Juan	4.32
	Runnels	30.00		Sanpete	26.29
	Rusk	54.50		Sevier	23.74
	Sabine	68.18		Summit	17.23
	San Augustine	52.87		Tooele	19.62
	San Jacinto	69.94		Uintah	6.38
	San Patricio	32.99		Utah	51.19
	San Saba	43.26		Wasatch	57.41
	Schleicher	24.07		Washington	37.31
	Scurry	23.88		Wayne	32.70
	Shackelford	22.34		Weber	59.27
	Shelby	74.81	Vermont	Addison	71.81
	Sherman	21.67		Bennington	100.86
	Smith	83.49		Caledonia	72.17
	Somervell	84.42		Chittenden	103.89
	Starr	32.93		Essex	42.63
	Stephens	32.83		Franklin	68.10

Federal Energy Regulatory Commission

Pt. 11, App. A

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Virginia	Grand Isle	98.56	Washington	Page	169.57
	Lamoille	85.38		Patrick	95.64
	Orange	80.98		Pittsylvania	86.96
	Orleans	63.23		Powhatan	177.06
	Rutland	68.34		Prince Edward	84.78
	Washington	94.57		Prince George	103.63
	Windham	101.43		Prince William	202.07
	Windsor	109.77		Pulaski	100.46
	Accomack	83.35		Rappahannock	171.14
	Albemarle	160.34		Richmond	101.39
	Alleghany	78.28		Roanoke	139.38
	Amelia	98.69		Rockbridge	119.90
	Amherst	84.37		Rockingham	169.40
	Appomattox	76.91		Russell	77.98
	Arlington	116.05		Scott	81.23
	Augusta	134.89		Shenandoah	148.61
	Bath	102.52		Smyth	91.12
	Bedford	130.21		Southampton	71.37
	Bland	81.07		Spotsylvania	139.85
	Botetourt	116.93		Stafford	243.14
	Brunswick	68.73		Surry	90.98
	Buchanan	116.05		Sussex	87.07
	Buckingham	84.84		Tazewell	62.94
	Campbell	92.39		Warren	174.97
	Caroline	128.42		Washington	121.03
	Carroll	113.13		Westmoreland	99.16
	Charles City	99.30		Wise	76.85
	Charlotte	73.49		Wythe	108.20
	Chesterfield	155.22		York	487.11
	Clarke	188.05		Chesapeake City	148.25
	Craig	97.61		Suffolk	125.44
	Culpeper	163.45		Virginia Beach City	171.52
	Cumberland	107.51		Adams	18.30
	Dickenson	87.92		Asotin	14.85
	Dinwiddie	87.68		Benton	41.51
	Essex	89.33		Chelan	130.09
	Fairfax	353.71		Clallam	187.43
	Fauquier	159.21		Clark	236.41
	Floyd	114.48		Columbia	17.83
	Fluvanna	137.04		Cowlitz	136.02
	Franklin	114.78		Douglas	19.71
	Frederick	161.03		Ferry	7.88
	Giles	86.19		Franklin	38.62
	Gloucester	154.89		Garfield	14.46
	Goochland	145.77		Grant	44.58
	Grayson	127.09		Grays Harbor	47.84
	Greene	180.53		Island	219.70
	Greensville	76.30		Jefferson	130.37
	Halifax	76.30		King	317.86
	Hanover	156.10		Kitsap	333.58
	Henrico	149.41		Kittitas	69.83
	Henry	86.08		Klickitat	22.26
	Highland	83.60		Lewis	105.66
	Isle of Wight	87.13		Lincoln	17.80
	James City	231.30		Mason	146.94
	King and Queen	99.58		Okanogan	21.68
	King George	115.61		Pacific	59.25
	King William	105.94		Pend Oreille	54.00
	Lancaster	116.85		Pierce	263.53
	Lee	75.50		San Juan	155.30
	Loudoun	203.48		Skagit	120.55
	Louisa	135.00		Skamania	157.46
	Lunenburg	81.04		Snohomish	193.22
	Madison	159.16		Spokane	42.01
	Mathews	157.15		Stevens	24.91
	Mecklenburg	87.15		Thurston	152.85
	Middlesex	138.63		Wahkiakum	71.23
	Montgomery	113.71		Walla Walla	30.81
	Nelson	129.05		Whatcom	199.88
	New Kent	147.04		Whitman	19.94
	Northampton	108.47		Yakima	27.34
	Northumberland	104.56	West Virginia	Barbour	45.59
	Nottoway	96.30		Berkeley	185.86
	Orange	152.77		Boone	42.84

Pt. 11, App. A

18 CFR Ch. I (4–1–13 Edition)

State	County	Fee/acre/Yr	State	County	Fee/acre/Yr
Wisconsin	Braxton	44.73		Green	97.01
	Brooke	45.51		Green Lake	94.48
	Cabell	70.04		Iowa	89.43
	Calhoun	42.96		Iron	51.61
	Clay	46.04		Jackson	70.28
	Doddridge	40.82		Jefferson	109.80
	Fayette	56.86		Juneau	77.72
	Gilmer	40.54		Kenosha	138.24
	Grant	64.57		Kewaunee	94.91
	Greenbrier	66.96		La Crosse	78.70
	Hampshire	132.58		Lafayette	95.59
	Hancock	75.87		Langlade	69.41
	Hardy	84.61		Lincoln	69.41
	Harrison	57.77		Manitowoc	94.89
	Jackson	54.83		Marathon	74.27
	Jefferson	188.44		Marinette	73.10
	Kanawha	75.73		Marquette	83.34
	Lewis	47.03		Menominee	31.89
	Lincoln	41.15		Milwaukee	195.91
	Logan	78.78		Monroe	80.62
	McDowell	61.66		Oconto	80.90
	Marion	58.86		Oneida	77.34
	Marshall	51.83		Outagamie	100.46
	Mason	61.80		Ozaukee	129.98
	Mercer	61.13		Pepin	74.24
	Mineral	76.92		Pierce	90.76
	Mingo	27.36		Polk	78.37
	Monongalia	76.53		Portage	93.45
	Monroe	63.66		Price	52.92
	Morgan	120.29		Racine	129.90
	Nicholas	56.14		Richland	76.52
	Ohio	58.80		Rock	109.42
	Pendleton	59.02		Rusk	63.05
	Pleasants	57.88		St. Croix	103.55
	Pocahontas	56.30		Sauk	92.17
	Preston	66.35		Sawyer	80.84
	Putnam	66.15		Shawano	83.67
	Raleigh	63.77		Sheboygan	105.10
	Randolph	55.50		Taylor	63.13
	Ritchie	46.42		Trempealeau	71.01
	Roane	48.09		Vernon	80.60
	Summers	55.64		Vilas	135.09
	Taylor	60.94		Walworth	117.70
	Tucker	53.56		Washburn	74.16
	Tyler	52.17		Washington	138.32
	Upshur	59.02		Waukesha	148.97
	Wayne	50.28		Waupaca	87.74
	Webster	54.72		Waushara	95.95
	Wetzel	42.76		Winnebago	93.39
	Wirt	44.98		Wood	81.68
	Wood	63.38		Albany	7.46
	Wyoming	37.77		Big Horn	13.88
	Adams	86.06		Campbell	6.17
	Ashland	58.21		Carbon	4.97
	Barron	67.29		Converse	5.45
	Bayfield	58.95		Crook	9.47
	Brown	106.54		Fremont	14.50
	Buffalo	69.76		Goshen	9.45
	Burnett	69.54		Hot Springs	11.62
	Calumet	103.80		Johnson	6.11
	Chippewa	67.61		Laramie	7.68
	Clark	67.94		Lincoln	18.16
	Columbia	101.76		Natrona	5.29
	Crawford	70.52		Niobrara	5.97
	Dane	117.62		Park	13.14
	Dodge	99.61		Platte	9.69
	Door	91.55		Sheridan	12.44
	Douglas	55.77		Sublette	16.04
	Dunn	76.06		Sweetwater	2.83
	Eau Claire	76.01		Teton	28.89
	Florence	64.19		Uinta	9.31
	Fond du Lac	95.95		Washakie	9.02
	Forest	52.29		Weston	7.01
	Grant	85.54			

[78 FR 15602, Mar. 12, 2013]

PART 12—SAFETY OF WATER POWER PROJECTS AND PROJECT WORKS

Subpart A—General Provisions

Sec.

- 12.1 Applicability.
- 12.2 Rules of construction.
- 12.3 Definitions.
- 12.4 Staff administrative responsibility and supervisory authority.
- 12.5 Responsibilities of licensee or applicant.

Subpart B—Reports and Records

- 12.10 Reporting safety-related incidents.
- 12.11 Reporting modifications of the project or project works.
- 12.12 Maintenance of records.
- 12.13 Verification form.

Subpart C—Emergency Action Plans

- 12.20 General requirements.
- 12.21 Exemptions.
- 12.22 Contents of emergency action plan.
- 12.23 Time for filing emergency action plan.
- 12.24 Review and updating of plans.
- 12.25 Posting and readiness.

Subpart D—Inspection by Independent Consultant

- 12.30 Applicability.
- 12.31 Definitions.
- 12.32 General inspection requirement.
- 12.33 Exemption.
- 12.34 Approval of independent consultant.
- 12.35 Specific inspection requirements.
- 12.36 Emergency corrective measures.
- 12.37 Report of the independent consultant.
- 12.38 Time for inspections and reports.
- 12.39 Taking corrective measures after the report.

Subpart E—Other Responsibilities of Applicant or Licensee

- 12.40 Quality control programs.
- 12.41 Monitoring instruments.
- 12.42 Warning and safety devices.
- 12.43 Power and communication lines and gas pipelines.
- 12.44 Testing spillway gates.

AUTHORITY: 16 U.S.C. 792–828c; 42 U.S.C. 7101–7352; E.O. 12009, 3 CFR 1978 Comp., p. 142.

SOURCE: Order 122, 46 FR 9036, Jan. 28, 1981, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 12 appear at 69 FR 32438, June 10, 2004.

Subpart A—General Provisions

§ 12.1 Applicability.

(a) Except as otherwise provided in this part or ordered by the Commission or its authorized representative, the provisions of this part apply to:

(1) Any project licensed under Part I of the Federal Power Act;

(2) Any unlicensed constructed project for which the Commission has determined that an application for license must be filed under Part I of the Act; and

(3) Any project exempted from licensing under Part I of the Federal Power Act, pursuant to subparts J or K of part 4 of this chapter, to the extent that the Commission has conditioned the exemption on compliance with any particular provisions of this part.

(b) The provisions of this part apply to a project that uses a Government dam only with respect to those project works, lands, and waters specifically licensed by the Commission.

§ 12.2 Rules of construction.

(a) If any term, condition, article, or other provision in a project license is similar to any provision of this part, the licensee must comply with the relevant provision of this part, unless the Commission or the Director of the Office of Energy Projects Licensing determines that compliance with the relevant provision of the license will better protect life, health, or property.

(b) A licensee may request from the Director of the Office of Energy Projects Licensing a ruling on the applicability to its actions of any provision of its license that is similar to a provision of this part. A ruling by the Director may be appealed under § 385.207 of this chapter.

[Order 122, 46 FR 9036, Jan. 28, 1981, as amended by Order 225, 47 FR 19056, May 3, 1982; 49 FR 29370, July 20, 1984]

§ 12.3 Definitions.

(a) *General rule.* For purposes of this part, terms defined in section 3 of the Federal Power Act, 16 U.S.C. 796, have the same meaning as they have under the Act.